761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
# SHERIFF'S DEPARTMENT
*A Tradition of Service*

DATE: March 31, 2014
FILE NO:

OFFICE CORRESPONDENCE

**FROM:** STEPHEN B. JOHNSON, COMMANDER
CUSTODY SERVICES DIVISION
SPECIALIZED PROGRAMS

**TO:** ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

**SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS**

| | |
|---|---|
| Case Number: | FO2333389 |
| Incident: | Significant Force |
| Incident Date: | April 13, 2013 |
| Unit: | Pico Rivera Station |
| Suspects: | Paul Manuel Sanchez, MH/06-13-74<br>Ashley Martinez, FH/06-30-92<br>Armando Guy Sanchez, MH/11-12-71 |
| Involved Employees: | Deputy John Padilla, #[redacted]<br>Deputy [redacted] #[redacted]<br>Deputy [redacted] #[redacted]<br>Deputy [redacted]<br>Deputy [redacted]<br>Sergeant [redacted] #[redacted] |
| EFRC Date: | March 27, 2014 |

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen Johnson, Patrick Maxwell, and Ralph Webb met and reviewed the above case.

**FORCE POLICY RELATING TO INCIDENT:**

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

**FINDINGS:**

Pico Rivera Station desk personnel received a call from a citizen advising that "Sonny," a "Pico Nuevo" gang member, was causing a disturbance and breaking windows at an apartment complex. The caller also stated the suspect was wearing a black shirt and black shorts. Approximately two minutes later the caller stated the suspect was in the driveway at the location.

Pico Rivera deputies and a sergeant responded to the location in tandem. Some of the deputies knew who "Sonny" (Suspect Paul Sanchez) was due to their previous contacts with him.

As the deputies arrived in front of the complex, they saw the suspect standing in the driveway with two females. Also present in the driveway was the suspect's [redacted] Suspect Armando Sanchez, who is paralyzed from the waist down and was seated in his wheelchair.

Upon their arrival and exiting their patrol cars, Suspect A. Sanchez yelled profanities at the deputies and used his hand to simulate a handgun, while he pointed his index finger at deputies. He rolled away northbound on the west sidewalk from the location, in his wheelchair.

The deputies contacted Suspect P. Sanchez and the two females and ordered them to place their hands on the hood of the patrol car in order to conduct a vandalism investigation. The females complied and walked to the driver's side, and placed their hands on the hood.

At this point, the sergeant drove northbound and stopped parallel to the deputies. One of the deputies pointed north toward Suspect A. Sanchez, who continued to wheel himself on the sidewalk. The sergeant drove north to detain him.

As Suspect P. Sanchez walked to the patrol car on the front passenger's side, he began to use profanities and placed his hands on the hood. One of the deputies told the suspect to place his hands behind his back for a pat-down search. The suspect said, "Fuck you, mother fuckers," and failed to comply with the deputy's request.

As the deputy grabbed onto the suspect's right arm to place it behind his back, the suspect pulled it away and swung his arm/fist at the deputy, missing him. In response, the deputy punched the suspect's face and then grabbed onto his body. Two of the deputies also grabbed onto the suspect's body and they conducted a team takedown of the suspect.

When the deputies fell to the ground, one of the females (Suspect Ashley Martinez) ran toward the struggle. One of the deputies grabbed onto her arm and then used her handheld radio to broadcast the deputy-involved fight. Another deputy also used his handheld radio and broadcast the fight. The sergeant heard the transmissions and returned to the deputies' location.

While on the ground, Suspect P. Sanchez grabbed one of the deputies' legs and bit it. He would not release his bite, so the deputy punched the suspect's face approximately six to eight times. The suspect still would not release his bite, so another deputy kicked the suspect in the jaw with a shod foot/boot while standing. The deputy then placed his knee on the suspect's back, and his right hand on the side of the suspect's face to hold him down. Because the suspect was sweating, the deputy's hand slipped to the ground and the suspect was able to bite the deputy's hand.

Suspect Ashley Martinez then joined the fight and punched at the deputy's back with both fists. Another deputy tried to pull the suspect off of the deputy, but she resisted and flailed her arms, so the deputy punched her once on the face, which was effective. The deputy handcuffed Suspect Ashley Martinez and took her to the patrol car.

The sergeant arrived and began directing force. He saw Suspect P. Sanchez bite one of the deputies, for a second time, on his leg. He directed one of the deputies to tase the suspect. The deputy deployed the Taser and applied a drive-stun procedure to the suspect's body, but it malfunctioned. The suspect kicked at the deputies, so one of the deputies struck the suspect's lower legs with his flashlight twice, which was ineffective because the suspect continued to resist and assault the deputies.

As one of the deputies tried to control the suspect's arm, the suspect bit the deputy on the hand. The deputy responded by punching the suspect on his left side ribcage area several times.

Suspect A. Sanchez arrived in his wheelchair and joined the fight. He wheeled his wheelchair into one of the deputies' head and punched the sergeant's back, while holding a dark object (screwdriver) in his opposite hand. One of the deputies saw this and struck the suspect on the head with his flashlight. The strike knocked the suspect out of his wheelchair and onto the ground.

The sergeant held down the suspect, but he was uncooperative. The sergeant directed one of the deputies to taste the suspect. The deputy applied a drive-stun procedure, but it failed to work. One of the deputies then sprayed a three-second burst of O. C. on the suspect's face. The sergeant and a deputy were then able to grab the suspect's arms and he was handcuffed.

The deputies were still struggling to gain control of Suspect P. Sanchez's arms. With the Taser, one of the deputies applied a drive-stun procedure to the suspect's hip, but it failed to work. Again, he drive-stunned the suspect and it failed to work. At this point, the deputies were able to handcuff the suspect.

After Suspect Ashley Martinez was secured in the patrol car, she kicked out the window.

Suspect P. Sanchez was taken to Beverly Hospital for medical treatment. He tested positive for methamphetamine and his blood alcohol level was .169 BAC.

Suspect A. Sanchez was taken to LAC-USC Medical Center for medical treatment. He received a four inch laceration to the top of his head and a broken left femur. His sobriety was unknown as he refused to release his medical records.

Suspect Ashley Martinez was taken to Beverly Hospital for medical treatment. She complained of pain to her hip. The x-rays were normal. She tested positive for methamphetamine and her blood alcohol level was .108. She was released for booking.

Several of the deputies sustained human bites from Suspect P. Sanchez. They were medically treated at Presbyterian Intercommunity Hospital in the city of Whittier and released back to full-duty work status.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

**RECOMMENDATIONS:**

The EFRC recommended the unit commander, Captain Allen M. Castellano, conduct a tactical debriefing regarding the unique circumstances of this incident. The tactical debriefing is to include a plan on how to properly handle problems with this particular family in the future.

Additionally, the tactical debriefing is to include a reminder about supervisors not conducting force interviews when they have used force during the incident.

SBJ:JER:jer

# Table of Contents
## IAB# FO2333389

**AUDIO/VIDEO TRACKING SHEET**

**SUPERVISOR'S USE OF FORCE FORM**

**INVESTIGATIVE SUMMARY**

**TRANSCRIBED INTERVIEWS**

- Pico Rivera Sergeant [redacted] interview of Non-Employee Witness [redacted]
- Pico Rivera Sergeant [redacted] interview of Non-Employee Witness [redacted]
- Pico Rivera Sergeant [redacted] interview of Non-Employee Witness [redacted]
- IAB interview of Involved Employee Deputy John Padilla.
- IAB interview of Involved Employee Deputy [redacted]
- IAB interview of Involved Employee Deputy [redacted]
- IAB interview of Involved Employee Deputy [redacted]
- IAB interview of Involved Employee Deputy [redacted]
- IAB interview of Involved Employee Sergeant [redacted]
- Pico Rivera Detective Jeffrey Lammers' interview of Suspect Paul Sanchez.
- IAB interview of Suspect Paul Sanchez.
- Pico Rivera Detective Jeffrey Lammers' interview of Subject Ashley Martinez.

**EXHIBITS**

**A.** Printout of Incident Record and Incident Details for Tag 92 and *CD* containing audio of call for service.

**B.** *CD* containing audio transmissions of call coordination on L-TAC, and *CD* containing dispatch audio and 10-33 transmissions.

**C.** Copy of County of Los Angeles Sheriff's Department Incident Report under file #013-02752-1512-057, authored by Deputies [redacted] and John Padilla.

**D.** (4) Photographs of Deputy [redacted] and his injuries.

**E.** Diagram of scene depicted by Deputy [redacted] and a copy of his Training Records.

**F.** Copy of a Supplemental Report under file #013-02752-1512-057, authored by Deputy Padilla.

**G.** (7) Photographs of Deputy Padilla and his injuries.

**H.** Diagram of scene depicted by Deputy Padilla and a copy of his Training Records.

**I.** Copy of a Supplemental Report under file #013-02752-1512-057, authored by Deputy [redacted]

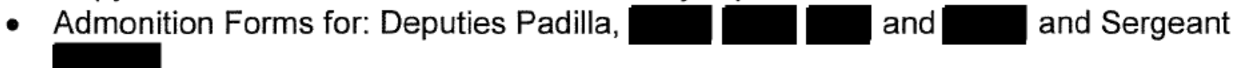
# Table of Contents – Cont'd
# FO2333389

# Table of Contents – Cont'd
# FO2333389

**GG.** Copy of Case Closure-Supplementary Report/Misdemeanor Case Filing #3WW01336 by Detective Lammers.

**MISCELLANEOUS DOCUMENTS**

- Copy of a PM Shift in-service dated Saturday, April 13, 2013.
- Admonition Forms for: Deputies Padilla, [redacted] [redacted] [redacted] and [redacted] and Sergeant [redacted]



- (3) Receipt for Investigative Material forms.

# Los Angeles County Sheriff's Department

## Supervisor's Report on Use of Force



### Incident Information

| | | | |
|---|---|---|---|
| URN: 013-02752-1512-057 | | Date: 04/13/13 | Time: 1940 Hours |
| Location: [redacted] Passons Boulevard | | City or Station: Pico Rivera | |
| Bureau/Station/Facility: South Patrol Division / PRV | | Admin. Investigation: ○ YES ◉ NO | |
| Type of Force: SIGNIFICANT - Impact Weapon (flashlight) to the head, broken femur & hospitalization. | | | |
| Incident Category: ○ 1 ○ 2 ◉ 3 | | Deputy Injury: ◉ YES ○ NO | Suspect Injury ◉ YES ○ NO |
| ☒ Call | ☐ Observation | ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit |
| IAB Notified: ◉ YES ○ NO | Person Notified: Lt. Dominic Valencia | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO |

### Involved Employee

**E1**

| | | | | |
|---|---|---|---|---|
| Employee #: [redacted] | Last Name: Padilla | First Name: John | Middle I.: J | Rank: B-1 |
| Sex: ◉ M ○ F | Race: H | Height: 5'10" | Weight: 230 | Age: [redacted] |
| Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty | | | |
| Unit of Assignment: PRV | Work Assignment (Unit #, Module, etc.): 151 | | | |
| Individual Force Used: Team takedown, hand, fist, OC, flashlight, shod foot, Taser | ◉ Directed ○ Rescue ○ Medical Assist | Individual Category: ○ 1 ○ 2 ◉ 3 | | |
| ☒ Injured ☒ Treated ☐ Admitted | Facility: Presbyterian Inter-community Hospital | Coroner Case #: | | |

**E2**

| | | | | |
|---|---|---|---|---|
| Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle I.: [redacted] | Rank: DSG |
| Sex: ◉ M ○ F | Race: H | Height: 5'09" | Weight: 195 | Age: [redacted] |
| Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty | | | |
| Unit of Assignment: CER | Work Assignment (Unit #, Module, etc.): 151 | | | |
| Individual Force Used: Team takedown, control holds, fist, elbow, hobble. | ○ Directed ○ Rescue ○ Medical Assist | Individual Category: ○ 1 ○ 2 ◉ 3 | | |
| ☒ Injured ☒ Treated ☐ Admitted | Facility: Presbyterian Inter-community Hospital | Coroner Case #: | | |

**E3**

| | | | | |
|---|---|---|---|---|
| Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle I.: [redacted] | Rank: B-1 |
| Sex: ○ M ◉ F | Race: H | Height: 5'08" | Weight: 155 | Age: [redacted] |
| Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty | | | |
| Unit of Assignment: PRV | Work Assignment (Unit #, Module, etc.): 151F | | | |
| Individual Force Used: Takedown, control holds, hands, Taser, handcuffing. | ○ Directed ○ Rescue ○ Medical Assist | Individual Category: ◉ 1 ○ 2 ○ 3 | | |
| ☐ Injured ☐ Treated ☐ Admitted | Facility: | Coroner Case #: | | |

### On Duty Supervisor

☒ Additional Involved Employees

| Emp. # | Last Name | First Name | Middle I. | Rank | Present | Witness to Incident |
|---|---|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | YES ◉ NO ○ | YES ◉ NO ○ |

### Supervisor Completing Investigation

| Emp. # | Last Name | First Name | Middle I. | Rank | Present | Witness to Incident |
|---|---|---|---|---|---|---|
| [redacted] | Grote | Dinah | L. | SGT. | YES ○ NO ◉ | YES ○ NO ◉ |

### Watch Commander / Supervising Lieutenant

| Emp. # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | Adams | John | D. | SGT. |

Watch Commander / Supervising Lieutenant's **Signature**: ________ Date ________ Copy Provided to Employee by: ________ Emp #: ________

Allen M. Castellano — Unit Commander **(Print Name)**

Unit Commander's **Signature**: ________ Emp #: 431968 Date: ________

DISCOVERY Use Only
FO# 2335589

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

# Supervisor's Report on Use of Force
## INVOLVED EMPLOYEE - Continuation

0 1 3 - 0 2 7 5 2 - 1 5 1 2 - 0 5 7



### Involved Employee

**E 4**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ◉ M ○ F | H | 5'11" | 200 | [redacted] | ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty |

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): 151F

Individual Force Used: Team takedown, fist, control holds, Taser and handcuffing

◉ Directed ○ Rescue ○ Medical Assist

Individual Category: ○ 1 ○ 2 ◉ 3

☒ Injured ☒ Treated ☐ Admitted Facility: Presbyterian Inter-Community Hospital

Coroner Case #

**E 5**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | DSG |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ◉ M ○ F | H | 6'00 | 250 | [redacted] | ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty |

Unit of Assignment: PRV

Work Assignment (Unit #, Module, etc.): 151A

Individual Force Used: Personal weapons (fist), control holds and handcuffing

○ Directed ○ Rescue ○ Medical Assist

Individual Category: ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility:

Coroner Case #

**E 6**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | SGT. |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ◉ M ○ F | H | 5'11" | 250 | [redacted] | ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty |

Unit of Assignment: PRV

Work Assignment (Unit #, Module, etc.): 150S

Individual Force Used: Control holds, directed force (Taser & hobble), handcuffing

◉ Directed ○ Rescue ○ Medical Assist

Individual Category: ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility:

Coroner Case #

**E__**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| | | | | |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ○ M ○ F | | | | | ○ EM ○ Day ○ PM | ○ Regular Shift ○ OT Shift ○ Off Duty |

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

○ Directed ○ Rescue ○ Medical Assist

Individual Category: ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility:

Coroner Case #

**E__**

| Employee # | Last Name | First Name | Middle I. | Rank |
|---|---|---|---|---|
| | | | | |

| Sex | Race | Height | Weight | Age | Shift | |
|---|---|---|---|---|---|---|
| ○ M ○ F | | | | | ○ EM ○ Day ○ PM | ○ Regular Shift ○ OT Shift ○ Off Duty |

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

○ Directed ○ Rescue ○ Medical Assist

Individual Category: ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility:

Coroner Case #

# Supervisor's Report on Use of Force
# EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 3 - 0 2 7 5 2 - 1 5 1 2 - 0 5 7



## Employee Witnesses

| Emp. # | Last Name | First Name | Middle Name |
|---|---|---|---|
| | | | |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: ◯ EM ◯ Day ◯ PM | ◯ Regular ◯ OT ◯ Off Duty |
|---|---|---|---|
| | | | |

| Emp. # | Last Name | First Name | Middle Name |
|---|---|---|---|
| | | | |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: ◯ EM ◯ Day ◯ PM | ◯ Regular ◯ OT ◯ Off Duty |
|---|---|---|---|
| | | | |

| Emp. # | Last Name | First Name | Middle Name |
|---|---|---|---|
| | | | |

| Unit of Assignment: | Work Assignment (Unit #, Module, etc.): | Shift: ◯ EM ◯ Day ◯ PM | ◯ Regular ◯ OT ◯ Off Duty |
|---|---|---|---|
| | | | |

## Non-Employee Witnesses

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | 72 | [redacted] |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | 46 | [redacted] |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | 18 | [redacted] |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | Middle Name | Age | D.O.B. |
|---|---|---|---|---|
| | | | | |

| Street Address | City | Zip Code | Phone #1 | Phone #2 |
|---|---|---|---|---|
| | | | | |

☐ Additional Witness

# Supervisor's Report on Use of Force
## SUSPECT INFORMATION

0 1 3 - 0 2 7 5 2 - 1 5 1 2 - 0 5 7



### Suspect Information

**S 1**

Last Name: Sanchez | First Name: Paul | Middle Name: Manuel | Armed? Select: Other

AKA Last Name: | First Name: Sonny | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 39 | Height: 5' 08" | Weight: 180 | D.O.B: 06/13/74 | Phone #1: (●) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3527371 | Primary Charge Code: 245 (c) P.C. | Secondary Charge Code: 69 P.C. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: L.A. CO. Fire | Unit: 40 | Phone #: (562) 699-3268

Hospital Admission? ☒ | Rec'd Treatment At: Beverly Hospital | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Doctor Lemus | Address: 309 West Beverly Boulevard, Montebello | Phone #:

Under Influence: (●) YES ( ) NO | Substance: Combination | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 04/14/14 | Time: 0827 | ☒ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

### Suspect Information

**S 2**

Last Name: Martinez | First Name: Ashley | Middle Name: nmn | Armed? Select: Other

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male (●) Female | Race: H | Age: 20 | Height: 5' 06" | D.O.B. 06/30/92 | Weight: 130 | Phone #1: ( ) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3527344 | Primary Charge Code: 594 (a)(2) P.C. | Secondary Charge Code: 69 P.C. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | By: L.A. CO. Fire | Unit: 40 | Phone #: (562) 699-3268

Hospital Admission? ☐ | Rec'd Treatment At: Beverly Hospital | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Jesus Lemus | Address: 309 W. Beverly Blvd., Montebello, 90640 | Phone #: (323) 726-1222

Under Influence: (●) YES ( ) NO | Substance: Combination | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 04/15/13 | Time: 1153 | ☒ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

### Suspect Information

**S 3**

Last Name: Sanchez | First Name: Armando | Middle Name: Guy | Armed? Select: Other Weapon: Edged

AKA Last Name: | First Name: Guy | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 41 | Height: 5' 07" | D.O.B. 11/12/71 | Weight: 180 | Phone #1: (●) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3527373 | Primary Charge Code: 245(c) P.C. | Secondary Charge Code: 69 P.C. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | By: L.A. CO. Fire | Unit: 40 | Phone #: (562) 699-3268

Hospital Admission? ☒ | Rec'd Treatment At: LAC-USC Medical Ctr. | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Kristi Stanley | Address: 1983 Marengo St., Los Angeles, 90033 | Phone #: (323) 409-1000

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 04/14/13 | Time: 0200 | ☐ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

# Supervisor's Report on Use of Force

0 1 3 - 0 2 7 5 2 - 1 5 1 2 - 0 5 7



***Method***

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

***Type of Injury***

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

***Body Part Involved***

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

| FORCE USED BY | | FORCE USED AGAINST | | Method (Code) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|
| Name | E# or S# | Name | E# or S# | | | |
| Sanchez, Paul | S#1 | [redacted] | E#2 | RS | NN | |
| Sanchez, Paul | S#1 | Padilla | E#1 | RS, PH | NN | |
| Padilla | E#1 | Sanchez, Paul | S#1 | PH | AB | FA |
| Padilla, [redacted] | E#1, 2, 4 | Sanchez, Paul | S#1 | TT | AB | KN, EL |
| Sanchez, Paul | S#1 | Padilla | E#1 | UC, PO | HB | HD |
| " | S#1 | [redacted] | E#2 | UC, PO | HB | HD |
| " | S#1 | [redacted] | E#4 | UC, PO | HB | LE |
| Martinez | S#2 | [redacted] | E#3 | PH, PP | NN | NN |
| Padilla | E#1 | Martinez | S#2 | PH | CP | FA |
| Padilla | E#2 | Sanchez, Armando | S#3 | FL | LC | HE |
| [redacted] | E#3 | Martinez | S#2 | CT, RH | NN | NN |
| [redacted] | E#2 | Sanchez, Paul | S#1 | HB | NN | LE |
| [redacted] | E#3 | Sanchez, Armando | S#3 | TR | NN | HI |
| Padilla | E#1 | Sanchez, Paul | S#1 | PK | FA | AB |
| Padilla | E#1 | Sanchez, Armando | S#3 | OC | FA | CP |
| Sanchez, Paul | S#1 | [redacted] | E#2 | PK | NN | |
| [redacted] | E#1 | Sanchez, Paul | S#1 | HB | NN | |
| Padilla | E#1 | Sanchez, Paul | S#1 | TR | NN | |
| [redacted] | E#2 | Martinez | S#2 | HB | NN | |
| [redacted] | E#2, 5 | Sanchez, Paul | S#1 | RH | NN | |
| [redacted] | E#3, 6 | Sanchez, Armando | S#3 | CT, RH | NN | |
| [redacted] | E#3 | Martinez | S#2 | RH | NN | |
| [redacted] | E#4 | Sanchez, Paul | S#1 | PH | AB | HE |
| [redacted] | E#5 | Sanchez, Paul | S#1 | PH | PH | CP |
| [redacted] | E#2 | Sanchez, Paul | S#1 | PO | BK | CP |

# INTERNAL AFFAIRS BUREAU
# INVESTIGATIVE SUMMARY
# USE OF FORCE
# (HEAD STRIKE, FRACTURED LEG & HOSPITALIZATION)
# IAB# FO2333389

**DIVISION / UNIT:** South Patrol / Pico Rivera Station

**DATE / TIME:** Saturday, April 13, 2013, 1940 hours

**LOCATION:** [redacted] Passons Boulevard, Pico Rivera CA. 90660
(Public roadway)

**SUSPECT #1:** Paul a.k.a. "Sonny" Sanchez, MH/39, DOB: 06/13/74
Booking #3527371
**#2:** Ashley Bunny Martinez, FH/21, DOB: 06/30/92, Booking #3527344
**#3:** Armando Guy Sanchez, MH/42, DOB: 11/12/71, Booking #3527373

**INVOLVED PERSONNEL:**
Deputy John Padilla, # [redacted] Unit 151, Pm's
Deputy [redacted] # [redacted] Unit 151, Pm's
Deputy [redacted] # [redacted] Unit 151F, Pm's
Deputy [redacted] # [redacted] Unit 151F, Pm's
Deputy [redacted] # [redacted] Unit 151A, Pm's
Sergeant [redacted] # [redacted] Unit 150S, Pm's

On April 13, 2013, the Internal Affairs Bureau's Force and Shooting Response Team, which consisted of Lieutenant Dominic Valencia, Sergeants Dinah Grote, Scott Graham and Juan Carlos Ybarra, responded to Pico Rivera Sheriff's Station regarding a deputy-involved use of force incident wherein a suspect sustained a head strike with a flashlight, a fractured leg and hospitalization. Attorney Rob Miller of the Office of Independent Review was advised of the incident, but did not respond.

## SYNOPSIS:

On April 13, 2013, at 1936 hours, Pico Rivera Station desk personnel received a call from a citizen advising that "Sonny," a "Pico Nuevo" gang member, was causing a disturbance and breaking windows at an apartment complex. The caller also stated he was wearing a black shirt and black shorts. Approximately two minutes later the caller stated "Sonny" was in the driveway at the location.

Deputies John Padilla and [redacted] (Unit 151) received the handle on the call and Deputies [redacted] and [redacted] (Unit 151F) assisted, along with Sergeant [redacted] 150S). They all responded to the location in tandem, and Deputies Padilla and [redacted] knew who "Sonny" was due to their previous contacts with him and because he has a glass left eye.

As Deputies Padilla [redacted] and [redacted] arrived in front of the complex they saw "Sonny" standing in the driveway with two females (later identified as Sonny's [redacted] Suspect Ashley Martinez, and Sonny's [redacted] Non-Employee Witness [redacted]. Also present in the driveway was Sonny's [redacted] Armando Sanchez, who is paralyzed from the waist down and was seated in his wheelchair.

> **IAB Note**: From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

Upon their arrival and exiting their patrol cars, Suspect Armando yelled profanities at the deputies and used his hand to simulate a handgun, while he pointed his index finger at deputies. He rolled away northbound on the west sidewalk from the location, in his wheelchair.

Deputies Padilla, [redacted] and [redacted] contacted Suspect Paul and the two females and ordered them to place their hands on the hood of the patrol car in order to conduct a vandalism investigation. The females complied and walked to the driver's side, and placed their hands on the hood.

At this point, Sergeant [redacted] drove northbound and stopped parallel to Deputies Padilla, [redacted] and [redacted] Deputy Padilla then pointed north toward Suspect Armando, who continued to wheel himself on the sidewalk. Sergeant [redacted] drove north to detain Suspect Armando.

As Suspect Paul walked to the patrol car on the front passenger's side, he began to use profanities and placed his hands on the hood. Deputy [redacted] told Suspect Paul to place his hands behind his back for a pat-down search. Suspect Paul said, "Fuck you, mother fuckers," and failed to comply with Deputy [redacted] request.

As Deputy Padilla grabbed onto Suspect Paul's right arm to place it behind his back, Suspect Paul pulled it away and swung his arm/fist at Deputy Padilla, missing him. In response, Deputy Padilla punched his face and then grabbed onto his body. Deputies [redacted] and [redacted] also grabbed onto Suspect Paul's body and they (deputies) conducted a team takedown of Suspect Paul.

When the deputies fell to the ground, Suspect Ashley Martinez ran toward the struggle. Deputy [redacted] grabbed onto her arm and then used her handheld radio to broadcast the deputy-involved fight. Deputy [redacted] also used his handheld radio and broadcast the fight. Sergeant [redacted] heard the transmissions and returned to the deputies' location.

On the ground, Suspect Paul grabbed onto Deputy [redacted] leg and bit it. He would not release his bit, so Deputy [redacted] punched Suspect Pau's face approximately six to eight times, Suspect Paul still would not release his bite, so Deputy Padilla kicked him in the jaw with a shod foot/boot standing.

Deputy Padilla then placed his knee on his back, and his right hand on the side of his face to hold him down. Because Suspect Paul was sweating, Deputy Padilla's hand slipped to the ground and Suspect Paul was able to bite his hand, but was not able to maintain grip down because Deputy Padilla pulled it away.

Suspect Ashley Martinez then joined the fight and punched at Deputy Padilla's back with both fists. Deputy [redacted] tried to pull Suspect Ashley Martinez off of Deputy Padilla, but she resisted and flailed her arms, so Deputy Padilla punched her face one time, which was effective. Deputy [redacted] then handcuffed Suspect Ashley Martinez and took her to her [redacted] patrol car.

Sergeant [redacted] arrived and began directing force. He saw Suspect Paul bite Deputy [redacted] (the second time) on his leg, so he directed Deputy [redacted] to Tase Suspect Paul. Deputy [redacted] deployed the Taser and applied a drive-stun procedure to his body, but it malfunctioned. Suspect Paul kicked at the deputies, so Deputy Padilla struck Suspect Paul's lower legs with his flashlight twice, which was ineffective because he continued to resist and assault the deputies.

As Deputy [redacted] tried to control Suspect Paul's arm, Suspect Paul bit Deputy [redacted] on the hand. Deputy [redacted] responded by punching Suspect Paul's left side ribcage area several times.

Suspect Armando arrived in his wheelchair and joined the fight. He wheeled his wheelchair into Deputy [redacted] head and punched Sergeant [redacted] back, while holding a dark object (screwdriver) in his opposite hand. Deputy Padilla saw this and struck Suspect Armando on the head with his flashlight knocking him out of his wheelchair, onto the ground.

Sergeant [redacted] held down Suspect Armando, but he was uncooperative, so Sergeant [redacted] directed Deputy [redacted] to use the Taser on him. Deputy [redacted] applied a drive-stun procedure, but it failed to work. Deputy Padilla then sprayed a three-second burst of O. C. on Suspect Armando's face. Sergeant [redacted] and Deputy [redacted] were then able to grab Suspect Armando Sanchez' arms and he was handcuffed.

Deputy Padilla returned to assist Deputies [redacted] and [redacted] who still struggled to gain control of his arms. With the Taser, Deputy Padilla applied a drive-stun procedure to Suspect Paul Sanchez' hip, but failed to work. Again, he drive-stunned Suspect Paul Sanchez and it failed to work. At this point, Deputies [redacted] and [redacted] were able to handcuff Suspect Paul Sanchez.

After Suspect Ashley Martinez was secured in Deputy [redacted] patrol car, she kicked out the window.

Suspect Paul was taken to Beverly Hospital for medical treatment. He was admitted to the hospital for Ketoacidosis (uncontrolled diabetes). He is diabetic and had high blood sugar that need to be controlled with insulin. The doctor said that he had an old left facial fracture. Suspect Paul was the victim of a shooting in 1993 when he lost his left eye. He tested positive for methamphetamine and his blood alcohol level was .169 BAC.

Suspect Armando was taken to LAC-USC Medical Center for medical treatment. He received a four inch laceration to the top of his head and a broken left femur. Suspect Armando was the victim of a stabbing by a rival gang member in 1989. As a result of this stabbing, he was left a paraplegic. His sobriety was unknown as he refused to release his medical records.

Suspect Ashley Martinez was taken to Beverly Hospital for medical treatment. She complained of pain to her hip. The x-rays were normal. She tested positive for methamphetamine and her blood alcohol level was .108. She was released for booking.

Deputies Padilla [redacted] and [redacted] sustained human bites from Suspect Paul. They were medically treated at Presbyterian Intercommunity Hospital in the city of Whittier and released back to full-duty work status.

> **IAB Note:** Deputies Padilla, [redacted] and [redacted] used the same Taser during this incident. In the Taser Report for the X26 Model (X00-421367), it did not reflect activations for April 13, 2013. On April 15, 2013, Pico Rivera Station Lieutenant Robert Smith was unable to "sync" the Taser. Essentially, the "Local Time" on the report was not updated, but the report did reflect activations when it was used during the fight and are listed as Sequences 0083 thru 0088. For further, refer to the Taser Report, presented in ***Volume 1***, as ***Exhibit T***, in the case book.

**INVOLVED PERSONNEL:**

**PADILLA**, John J.
Deputy Sheriff, Employee #[redacted]
South Patrol Division/Pico Rivera Station - Patrol

WORK HISTORY:

| | |
|---|---|
| Date of Employment: | 04/22/1999 |
| Date assigned to PRV: | 07/29/2007 |
| Completed Patrol Training: | [redacted] |
| Prior Shooting Incident(s): | 1 |
| Prior Founded Force Incident(s): | [redacted] |

[redacted]
Deputy Sheriff, Employee #[redacted]
[redacted] - Patrol

WORK HISTORY:
Date of Employment: 08/02/2006
Date assigned to CER: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

[redacted]
Deputy Sheriff, Employee #[redacted]
South Patrol Division/Pico Rivera Station - Patrol

WORK HISTORY:
Date of Employment: 05/11/2000
Date assigned to PRV: 10/26/2008
Completed Patrol Training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

[redacted]
Deputy Sheriff, Employee #[redacted]

WORK HISTORY:
Date of Employment: 09/21/1998
Date as Sworn Deputy Sheriff: [redacted]
Date assigned to MCJ:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

[redacted]
Deputy Sheriff, Employee #[redacted]
South Patrol Division/Pico Rivera Station - Patrol

WORK HISTORY:
Date of Employment: 10/14/1999
Date assigned to PRV: 01/25/2009
Completed Patrol Training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

[redacted]
Sergeant, Employee #[redacted]
South Patrol Division / Pico Rivera Station - Patrol

WORK HISTORY:

| | |
|---|---|
| Date of County Employment: | 09/01/1989 |
| Date as Sworn Deputy Sheriff: | [redacted] |
| Date promoted to SGT: | |
| Date assigned to PRV: | 01/16/2011 |
| Prior Shooting Incident(s): | 1 |
| Prior Founded Force Incident(s): | [redacted] |

**NON-EMPLOYEE WITNESSES:**

[redacted] MH/72, DOB:[redacted]

[redacted] FH/46, DOB:[redacted]

[redacted] MH/18, DOB:[redacted]

**SUSPECTS' INFORMATION:**

**SANCHEZ**, Paul Manuel, MH/39, DOB: 06/13/74, 5'09", 160 lbs., Booking #3527371.

[redacted]

CII #[redacted] CCHRS #[redacted] MAIN #[redacted] FBI #[redacted]

A check of CCHRS/CII (Consolidated Criminal History Reporting System/Criminal Information Index) revealed that Suspect Paul Sanchez had [redacted] records and his CCHRS/CII printouts, presented in ***Volume 2,*** as ***Exhibits X and Y***, in the case book.

**MARTINEZ**, Ashley Bunny, FH/21, DOB: 06/30/92, 5' 06", 130 lbs., Booking #3527373. [redacted]

CII # [redacted] CCHRS # [redacted] MAIN # [redacted] FBI # [redacted]

A check of CCHRS/CII (Consolidated Criminal History Reporting System/Criminal Information Index) revealed that Suspect Martinez had [redacted] CCHRS/CII printouts, presented in ***Volume 2,*** as ***Exhibits AA and BB***, in the case book.

**SANCHEZ**, Armando Guy, MH/42, DOB: 11/12/71, 5' 10", 180 lbs., Booking #3527372. [redacted]

CII # [redacted] CCHRS # [redacted] MAIN # [redacted] FBI # [redacted]

A check of CCHRS/CII (Consolidated Criminal History Reporting System/Criminal Information Index) revealed that Suspect Armando Sanchez had [redacted] Armando's Booking/Property records and his CCHRS/CII printouts, presented in **Volume 2,** as ***Exhibits CC and DD***, in the case book.

**INJURIES:**

Deputy Padilla sustained an abrasion to his left knee and a small cut on his right hand near the middle knuckle. Refer to Deputy Padilla's photographs, presented in ***Volume 2***, as ***Exhibit G***, in the case book.

Deputy [redacted] sustained human bites on top of his right hand between the thumb and index finger. He also received a human bite to his right knuckle/pinky finger. Refer to Deputy [redacted] photographs, presented in ***Volume 2***, as ***Exhibit D***, in the case book.

Deputy [redacted] sustained a human bite to the right knee. Refer to Deputy Padilla's photographs, presented in ***Volume 2***, as ***Exhibit L***, in the case book.

> **IAB Note:** The above injuries were photographed and documented by Sergeant [redacted] on the Department's Employee Injury forms, which were submitted to the Pico Rivera Operations' staff. Refer to the CD containing photographs of Deputies Padilla [redacted] and [redacted] presented in ***Volume 2***, as ***Exhibit S***.

Sergeant [redacted] and Deputies [redacted] and [redacted] were not injured during this incident. Suspect Paul Sanchez had complaint of pain to his lower back/left hip and calves, scrapes and abrasions to both elbows, both knees, right side of his face and eyebrow, forehead and neck. Refer to photographs of Suspect Paul's injuries, presented in ***Volume 2***, as ***Exhibit Z***, in the case book.

> **IAB Note:** The Toxicology/Laboratory Report from Beverly Hospital showed Suspect Paul Sanchez' blood alcohol content (BAC) was 0.169 and he tested "positive" for Amphetamine(s). Per Emergency Room Doctor Jesus Lemus, Suspect Paul was kept at the hospital for observation due to Ketoacidosis. For further, refer to his report, presented in ***Volume 2*** as ***Exhibit X***, in the case book.

Suspect Ashley Martinez had complaint of pain to her head. She was treated and released from the hospital for booking. Refer to Suspect Martinez' photographs, presented in ***Volume 2***, as ***Exhibit AA***, in the case book.

> **IAB Note:** The Toxicology/Laboratory Report from Beverly Hospital showed Suspect Martinez' blood alcohol content (BAC) was 0.108. She also tested "positive" for Amphetamine(s). For further, refer to her report, presented in ***Volume 2*** as ***Exhibit AA***, in the case book.

Suspect Armando Sanchez sustained a fractured left femur and a 2" laceration on the head. Refer to Armando's photographs, presented in ***Volume 2***, as ***Exhibit EE***, in the case book.

Refer to the supplemental reports regarding the transportation and medical treatment of the suspects, presented in ***Volume 2***, Exhibits ***W***, in the case book.

## PHYSICAL EVIDENCE:

Two screwdrivers were recovered during this incident. Also, photographs were taken of the damaged pottery/plants and the vandalized window on the patrol vehicle. For further, refer to the evidence, presented in ***Volume 2*** as ***Exhibits U*** and ***V***, in the case book.

## INVESTIGATORS' OBSERVATIONS:

The scene was not held by the personnel from Pico Rivera Station due to the fact the area was deemed unsafe due to a hostile environment.

**WEAPONS USED BY DEPUTY PERSONNEL:**

***Deputy Padilla*** punched Suspect Paul Sanchez' face one time, assisted in a team takedown of Suspect Paul, used his hands, right knee and body weight on Suspect Paul, kicked Suspect Paul's face one time, drive-stunned Suspect Paul twice with a Taser, and used two flashlight strikes on Suspect Paul's lower leg(s). He punched Suspect Martinez on the face one time, used a flashlight strike to Suspect Armando Sanchez' head and applied a three-second burst of O.C. spray to Suspect Armando Sanchez' face.

***Deputy*** [redacted] used his hands to control Suspect Paul Sanchez, used his left elbow to strike Suspect Paul Sanchez' back, and then handcuffed and hobbled Suspect Paul Sanchez' legs.

***Deputy*** [redacted] used her hands to control Suspect Martinez and then handcuffed her. She also used the Taser and applied (2) drive-stun cycles to Suspect Armando Sanchez, used her hands to control Suspect Armando and then handcuffed him.

***Deputy*** [redacted] used his hands, his right knee to control Suspect Paul. He also punched Suspect Paul's face 3-4 times with his right fist, handcuffed him and attempted to Tase him two times.

***Deputy*** [redacted] used his hands to control Suspect Paul Sanchez, punched Suspect Paul Sanchez' left side ribcage 6-8 times with his right fist, and handcuffed Suspect Paul Sanchez.

***Sergeant*** [redacted] directed Deputies [redacted] and [redacted] to Tase Suspects Paul and Armando Sanchez, and directed Deputy [redacted] to hobble Suspect Paul Sanchez. He used his hands to control and handcuff Suspect Armando Sanchez.

> **IAB Note:** In the Taser Report for the X26 Model (X00-421367), it did not reflect activations for April 13, 2013. On April 15, 2013, Pico Rivera Station Lieutenant Robert Smith was unable to "sync" the Taser. Essentially, the "Local Time" on the report was not updated, but the report did reflect activations when it was used during the fight and are listed as Sequences 0083 thru 0088. For further, refer to the Taser Report, presented in ***Volume 1***, as ***Exhibit T***, in the case book.

**WEAPONS USED BY THE SUSPECTS:**

Suspect Paul Sanchez was uncooperative, resistive, and attempted to elbow Deputy Padilla, bit Deputy Padilla's right hand, bit Deputy [redacted] right thumb and knuckle near pinky finger, and bit Deputy [redacted] right thigh, above the knee. He was resistive, assaultive and uncooperative up until being handcuffed. After being handcuffed, he was assaultive with his legs.

Suspect Ashley Martinez was uncooperative and resistive with Deputy [redacted] She used both hands to punch Deputy Padilla's back, resisted Deputy [redacted] and.

Suspect Armando Sanchez was uncooperative, resistive and used his left fist/hand and hit Sergeant [redacted] back/right hip, and held a screwdriver in his right fist.

## PROPERTY DAMAGE:

After the force incident, photographs were taken by deputy personnel of the vandalized property. Also, photographs were taken of the damaged window to Deputy [redacted] patrol vehicle. For further, refer to the photographs and CD of the damaged patrol vehicle, damaged/vandalized property, and a copy of the Supervisors Report on Damage to a County Vehicle form, presented in ***Volume 2***, as ***Exhibits U and V***, in this case book.

## CRIMINAL INVESTIGATION CHARGES:

| | |
|---|---|
| Investigator's Name: | Pico Rivera Station Detective Jeffrey Lammers #[redacted] |
| Court: | Whittier Court |
| Charges Filed: | 69 PC (3 counts), 243 (B) PC (2 counts) and 594(D) PC |
| DA Case Number: | 3WW01336 |

On April 16, 2013, Detective Lammers submitted the complaint and the above charges were filed by Deputy District Attorney Young. For further, refer to Detective Lammers' supplemental report, videotaped interviews, and the criminal complaint filing located in ***Volume 2***, as ***Exhibits FF*** and ***GG***, in the case book.

On April 18, 2013, Suspect Paul Sanchez was convicted for assault on a peace officer and obstruction and/or resisting a peace officer. The two additional counts of assault on a peace officer were dismissed due to plea negotiations. He was sentenced to 60 days in Los Angeles County Jail and placed on summary probation for 36 months.



**IAB NOTE:** [redacted]

On April 17, 2013, Suspect Ashley Martinez was convicted of vandalism and obstruction and/or resisting a peace officer. The additional charge battery on a peace officer was dismissed due to plea negotiations. She was sentenced to 60 days in Los Angeles County Jail and placed on summary probation for 36 months.

On April 30, 2013, Suspect Armando Sanchez was convicted for assault on a peace officer. The additional charges of assault on a peace officer and obstruction and/or resisting a peace officer were dismissed due to plea negotiations. He was sentenced to 60 days in Los Angeles County Jail and placed on summary probation for 36 months.

**LIGHTING AND WEATHER CONDITIONS:**
It was a cool spring evening and dusk was setting. In the area of the incident, there were no posted street lamps on the west or east sides of the street. The area was illuminated by the two patrol vehicles' headlamps and spotlights.

**INVOLVED EMPLOYEES' STATEMENTS:**
*On January 9, 2014, at approximately 1120 hours, Deputy John Padilla was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. Deputy Padilla was represented by Attorney Elizabeth Gibbons from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in **Volume 1**, under the **Transcriptions-Involved Employees**, section of the casebook.*

Deputy Padilla stated he is currently a field training officer. At the time of this incident, he had been a training officer for approximately [redacted] and Deputy [redacted] was his [redacted] who had been on [redacted] for approximately [redacted] He said he was working a two-person patrol unit and was the driver, while Deputy [redacted] was the book person.

He and Deputy [redacted] received a disturbance call for service regarding a Pico Nuevo gang member who was breaking windows at the location. The disturbing party was identified as "Sonny" (Suspect Paul Sanchez). Deputy Padilla recognized "Sonny" as Suspect Paul Sanchez because he had arrested Paul on several previous occasions and knew Suspect Paul Sanchez had a glass eye. For further, refer to a copy of a call printout and the CD containing the audio call for service, presented in ***Volume 2*** as ***Exhibit A***, in the case book.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

Deputy Padilla quickly briefed Deputy [redacted] on Suspect Paul and his (suspect) [redacted] history regarding numerous past calls for service at the [redacted] residence. The location is a two-story apartment complex where Suspects Paul and Armando reside with their [redacted] He said the [redacted] has a history of non-compliance, assaults on deputy personnel, and they (Suspects Paul and Armando) are known to carry weapons as well as Suspect Paul, being a narcotics user and a diabetic. He told Deputy [redacted] that if they came into contact with Suspect Paul, they needed to control and handcuff him quickly because Suspect Paul was known to fight deputies.

He formed a tactical plan with Deputy [redacted] and then Deputy [redacted] requested units to go to L-Tac where they coordinated the call. He said the plan was to get his assisting units to meet up with them (Padilla and [redacted]), then drive to the location together to ascertain what was the actual disturbance. Because of past incidents with the suspects and their [redacted] members, he wanted as many units as possible to assist him for the disturbance call. In previous calls for service, he said other [redacted] members and people in the community always came outside and vocally inserted themselves into whatever incident was at hand.

They coordinated with assisting units to meet up together just south of the location. Deputies [redacted] and her then [redacted] Deputy [redacted] arrived so he and Deputy [redacted] drove northbound on Passons Boulevard toward the apartment complex (location), followed by Deputies [redacted] and [redacted] in their patrol car.

As Deputy Padilla neared the location, which is located on the west side of the street, he saw Suspect Paul standing with two females (later identified as Suspect Ashley Martinez and Non-Employee Witness [redacted] in the east/west driveway at the location. He said Suspect Armando, a paraplegic, was also with them and he was seated in his wheelchair.

Deputy Padilla stopped the patrol vehicle in the street and adjacent to the west curb line with the vehicle's front end and high beam headlights pointed in a northwest direction at the four persons who stood in the driveway. His attention was drawn to Suspect Armando because he has been known to carry weapons such as screwdrivers/socket wrenches. Also, Suspect Armando was known for using his hand/fingers to simulate a handgun and extending his arm, while he pointed it at deputies telling deputy(s) to shoot him.

Deputy Padilla parked the patrol vehicle and heard Suspect Armando yell out, "I'm going to fucking shoot," and simulatde a handgun as he had done on past occasions. Deputy [redacted] had already exited the passenger's side door and made contact with Suspect Paul on the front passenger's side of their patrol vehicle.

Deputy Padilla then exited his driver's door and saw Suspect Armando wheel himself northbound on the west sidewalk of Passons Boulevard, away from the deputies. As Deputy Padilla walked toward the driveway, he heard Deputy [redacted] order Suspect Paul to come over to him [redacted]. Deputy Padilla maintained a visual on Suspect Armando when peripherally, on his right side, he saw Sergeant [redacted] drive northbound in his patrol vehicle and stop in the street, adjacent to Deputy Padilla.

Deputy Padilla walked into the street, just north of his patrol car and told Sergeant [redacted] about Suspect Armando simulating a firearm. He also told Sergeant [redacted] that Suspect Armando has been known to carry weapons and requested Sergeant [redacted] to maintain a visual on Suspect Armando. Sergeant [redacted] slowly drove north on Passons Boulevard toward Suspect Armando who continued to wheel himself northbound on the sidewalk.

As Sergeant [redacted] drove away, Deputy Padilla continued to watch Suspect Armando until he heard some someone yell, "Don't fucking touch me. Get your fucking hands off me." As Deputy Padilla turned around, he saw that it was Suspect Paul who had the statements and saw Deputies [redacted] and [redacted] stood behind Suspect Paul and gave him commands to place his hands behind his back.

Simultaneously, Deputy Padilla looked toward the apartment complex and saw two people exit an apartment on the second floor. He noticed other residents started to come out of the apartment building and adjacent houses because Suspect Paul was being loud.

Deputy Padilla walked back to the front of his patrol car and watched Suspect Paul's [redacted] and [redacted] (Non-Employee Witness [redacted] walk toward the patrol car and scream at them (deputies) to leave Suspect Paul alone because he was ill. Deputy Padilla positioned himself approximately one to two feet away from Deputy [redacted] As he ordered Suspect Paul's family to keep away, he heard Suspect Paul scream and yell in the background.

Peripherally, he saw Deputies [redacted] and [redacted] attempt to control Suspect Paul hands while giving him orders. He saw Deputy [redacted] place his left hand on Suspect Paul's right shoulder and used his right hand to grab a hold of Suspect Paul's upper right arm/bicep. He said it appeared to him that Deputy [redacted] who stood on the left side of Suspect Paul, grabbed onto Suspect Paul's left arm. Deputy [redacted] then attempted to pull Suspect Paul's right arm back behind his (Paul's) back.

Deputy Padilla stepped to the right side of Deputy [redacted] He placed his right hand on Suspect Paul's right shoulder. Simultaneously with his right hand, he grabbed onto Suspect Paul's right wrist. When Deputy Padilla did this, Suspect Paul tensed up and began to resist and overpower Deputy Padilla by forcefully raising his arm upward. Deputy Padilla continued to hold Suspect Paul's right wrist, but the suspect continued to resist by forcefully raising is right arm.

Due to Suspect Paul's strength, Deputy Padilla believed Suspect Paul was under the influence of an illegal substance and Suspect Paul's right arm was now six to eight inches from his (Padilla's) face. He feared Suspect Paul would hit him with his arm/elbow, so Deputy Padilla released his hand from Suspect Paul's right wrist and punched the right side of Suspect Paul's face with his right fist. Initially, Deputy Padilla's punch appeared to be effective because Suspect Paul took a half-step backward and collided into Deputies [redacted] and [redacted]

Deputy Padilla said Suspect Paul bent his upper body forward, so Deputy Padilla placed his hands on top of Suspect Paul's head and forced it down. He then used his upper torso, along with his body weight, and leaned over Suspect Paul's upper back/head area in an attempt to force him (Suspect Paul) down to the ground for handcuffing.

Because of Deputy Padilla's position, he did not see what Deputies [redacted] and [redacted] were doing, but believed it was at this point that Deputy [redacted] transmitted emergent radio traffic to the Sheriff's Communications Center (SCC) regarding their fight with Suspect Paul.

Suspect Paul was taken down to the asphalted ground, but Deputy Padilla did not see how he landed. Deputy Padilla felt that Suspect Paul possibly landed on his knees because Deputy Padilla remained standing, still bent over Suspect Paul's head/upper torso area. Although Deputy Padilla knew Deputies [redacted] and [redacted] were present, he could not see their actions and did not know if they assisted him in taking Suspect Paul to the ground. Deputy Padilla remained hunched over as Suspect Paul laid flat on the ground with his arms tucked under his torso. He told Deputies [redacted] and [redacted] to handcuff Suspect Paul, but he began to kick out at them (deputies) and moved his body side to side.

As Suspect Paul continued to kick out his legs, Deputy Padilla moved in and attempted to pull Suspect Paul's left arm out from under his body. Because Suspect Paul's left arm was sweaty, Deputy Padilla lost his grasp, which caused him to take a few steps backward toward the right rear passenger side door of their patrol car. There, he felt something hit his right, rear shoulder area.

When Deputy Padilla glanced back over his right shoulder, he saw a female (Suspect Ashley Martinez), so he took a step backward as she swung her arms at him. He then saw Deputy [redacted] come from behind Suspect Martinez, grabbed onto her (Martinez') shoulders and ordered her to the ground. Deputy [redacted] forced Suspect Martinez down to the ground, into a seated position.

On the ground, Suspect Martinez screamed and continued to swing her arms and fists. Deputy [redacted] ordered Suspect Martinez to stop moving and punching, but she did not comply and continued to flail her arms at Deputy [redacted] Because Suspect Martinez continued to be assaultive and uncooperative toward Deputy [redacted] Deputy Padilla stepped forward and punched Suspect Martinez on the left side of her face with his right fist one time. This proved to be effective because Suspect Martinez stopped swinging her fists and leaned forward onto the ground. Deputy [redacted] then began to handcuff Suspect Martinez, so he redirected his attention back to Suspect Paul where he heard someone yell.

Deputy Padilla looked back and saw Deputy [redacted] standing upright. Suspect Paul's upper torso was raised up off the ground with his right arm wrapped around Deputy [redacted] upper right leg, and he was biting Deputy [redacted] right thigh. Deputy [redacted] screamed out in pain, punched the suspect's head numerous times and ordered the suspect to stop biting him, but the suspect did not comply and the punches were ineffective because Suspect Paul continued biting Deputy [redacted] thigh.

Deputy Padilla immediately ran over and used his shod boot to deliver an upper-cut, right-footed kick to the left side of Suspect Paul's face to stop his assault on Deputy [redacted] The kicked was effective because Suspect Paul stopped biting Deputy [redacted] and his upper torso landed chest-down on the ground.

On the ground, Deputy Padilla squatted down to the left side of Suspect Paul and placed his right knee into Suspect Paul's neck/upper back area. Since the right side of Suspect Paul's face was against the ground, he placed his right hand against the left side of Suspect Paul's face and held him down to prevent him from further biting, but Suspect Paul continued to resist them.

During the struggle to gain control of Suspect Paul's arms, the suspect's face and head became very sweaty, so Deputy Padilla replaced his right hand for his left hand and placed it against Suspect Paul's head. As he did this, the sweat caused his hand to slip down from Suspect Paul's head, to the ground, next to Suspect Paul's mouth. It also caused Deputy Padilla's torso to go forward, which pulled his leg up and off of Suspect Paul's neck area.

Deputy Padilla stated that when his left hand landed next to Suspect Paul's mouth, Suspect Paul attempted to bite the portion of his hand, so he quickly pulled it away and rose to his feet since he lost control of Suspect Paul's upper body.

Deputy Padilla looked down and saw that Suspect Paul still remained face-down on the ground, but he kept moving about on the ground by thrashing his body back and forth, and wildly kicking his legs. Deputies [redacted] and [redacted] were on opposite sides of Suspect Paul's back area and they attempted to grab Suspect Paul's arms, unsuccessfully.

Using his flashlight, Deputy Padilla struck the back of Suspect Paul's lower legs twice to prevent further kicks. This was not effective because Suspect Paul continued to kick his legs. In the background, Deputy Padilla heard Sergeant [redacted] request that someone hobble Suspect Paul's legs. He knew Deputy [redacted] had a hobble on his person, but [redacted] was still involved in trying to control Suspect Paul, so decided to get his hobble from their patrol vehicle, which was parked about six feet west of the fight.

As Deputy Padilla backed away from the fight, peripherally to the north, he saw Suspect Armando wheel himself toward the fight. Deputy Padilla saw Deputy [redacted] was crouched down over Suspect Paul and he faced in a northwest direction when Suspect Armando wheeled himself and his wheelchair into the fight/struggle, striking Deputy [redacted] on the head with his chair.

Sergeant [redacted] was on the left side of Deputy [redacted] when Isaac was struck by Suspect Armando's wheelchair, so Sergeant [redacted] reached in and attempted to grab a hold of Suspect Paul's arm. From a seated position in his wheelchair, Suspect Armando used his left fist and punched Sergeant [redacted] right triceps area five to six times. When Suspect Armando's fist came downward it hit the butt portion of Sergeant [redacted] holstered handgun several times. As this was going on, Deputy Padilla stood to the left side of Sergeant [redacted] and faced in a northwest direction, approximately four feet from Suspect Armando, who was on Sergeant [redacted] right side.

Deputy Padilla continued to watch Suspect Armando's strikes and wondered why he only used one fist. When Deputy Padilla looked at Suspect Armando's right hand, it was clenched and held a dark cylinder object on the chairs' right armrest. The manner in which Suspect Armando held onto the object reminded Deputy Padilla of jail inmates who held their "shanks" similarly before they attacked somebody.

Deputy Padilla feared Sergeant [redacted] would be gravely hurt or killed by Suspect Armando. He initially thought to shoot Suspect Armando. However, there were other people in his backdrop that surrounded the fight and he did not have a clear line of fire to shoot Suspect Armando.

Deputy Padilla then realized his flashlight was still in his possession, so he retrieved it from his pants pocket with his left hand and switched it to his right hand. He wanted to incapacitate Suspect Armando, so Deputy Padilla reached over Sergeant [redacted] and used an overhead, downward motion striking the front portion of Suspect Armando's head with the handled end of his flashlight.

Suspect Armando then fell to the left side and out of his wheelchair, onto the ground. As he fell, the dark object he held fell to the ground and his wheelchair toppled over him. Deputy Padilla noted that the object was a screwdriver.

At this point, Deputy Padilla felt that he had tunnel vision. He said his focus was on Suspect Armando's bleeding head and the realization that he had possessed the screwdriver which could have killed Sergeant [redacted] He heard Sergeant [redacted] order Suspect Armando to place his hands behind his back and the suspect said, "Fuck you." Sergeant [redacted] then ordered Deputy [redacted] to Tase Suspect Armando since he would not comply.

Deputy Padilla saw Deputy [redacted] drive-stun Suspect Armando's lower right hip area, but did not recall any sound or it cycling coming from the Taser. The only thing that stood out to him was that the location of the drive-stun was not going to be effective on Suspect Armando's lower extremities because he was paralyzed, which proved to be correct because Suspect Armando would not place his hands behind his back.

Deputy Padilla removed his Freeze+ P O.C. (Oleoresin Capsicum) spray from his holder and ordered Suspect Armando to lay flat on the ground and to place his hands out. Again, Suspect Armando refused to comply and said, "Fuck you." Deputy Padilla then applied a three-second burst of O.C. spray to Suspect Armando's face, which proved to be effective because Suspect Armando laid flat on the ground and was handcuffed by Deputy [redacted] and Sergeant [redacted]

Refocusing his attention back to Suspect Paul, Deputy Padilla saw that Deputies [redacted] and [redacted] were bent over Suspect Paul's back area and the suspect's right wrist was handcuffed. It appeared that Deputies [redacted] and [redacted] had difficulty getting a hold of Suspect Paul's left arm because he was making fists.

As Deputy Padilla went to assist, Sergeant [redacted] handed him the Taser and directed him to Tase Suspect Paul to end the struggle. Deputy Padilla turned on the Taser and drive-stunned the back of Suspect Paul's thighs (unknown which). The Taser did not cycle, so again, Deputy Padilla drive-stunned the same thigh, but the Taser did not cycle.

Deputy Padilla looked at the Taser and flicked lever to check why it did not function. When he looked back, he noticed Suspect Paul's left wrist was being handcuffed by Deputies [redacted] and [redacted] He believed Deputy [redacted] was on the left side of Suspect Paul's body and assisted by holding Suspect Paul's left arm in order to be handcuffed.

> **IAB Note:** In the Taser Report and timeline of usage, it showed two activations, under Sequence #'s 0087 and 0088. The first activation was five seconds and the second activation was four seconds. For further, refer to the Taser Report, presented in ***Volume 1***, as ***Exhibit T***, in the case book.

After Suspect Paul was handcuffed, he was no longer assaultive or resistive, but was verbally abusive. Deputy Padilla did not recall being kicked by Suspect Paul. Although he had his ASP (expandable baton) with him, he chose not to use it in close quarters. He said an Air Unit arrived during the incident and that the Station was short-staffed that shift, so the Air Unit requested additional units from other stations to assist with crowd control.

Prior to this incident, Deputy Padilla had no previous contacts with Suspect Ashley Martinez. He has had numerous previous contacts with Suspect Paul and Suspect Armando, and knows they are active Pico Nuevo gang members because he had recently completed Field Identification (F.I.) Cards on both of them prior to this incident.

Deputy Padilla estimated that upon his arrival to the location up to the point when Suspect Paul was handcuffed, four to five minutes had elapsed. Other than seeing Deputies [redacted] and [redacted] control Suspect Paul's arms/hands for handcuffing, Deputy Padilla did not see any other forced used by them. For further, refer to the Incident Report by Deputies [redacted] and Padilla, Deputy Padilla's supplemental report, his diagram/sketch depicting the scene, his training records, and photographs of his injuries, presented in ***Volume 2*** as ***Exhibits C, F, G*** and ***H,*** in the case book.

***Deputy*** [redacted]

*On January 13, 2014, at approximately 1102 hours, Deputy* [redacted] *was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. Deputy* [redacted] *was represented by Attorney Dale Nowicki from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in* ***Volume 1****, under the* ***Transcriptions-Involved Employees****, section of the casebook.*

Deputy [redacted] stated he was a [redacted] and worked in a two-person patrol unit in the city of Pico Rivera with his [redacted] Deputy Padilla. He was the book-person and Deputy Padilla was the driver.

They received a priority disturbance call wherein the message stated "Sonny" from "PN" (Pico Nuevo) was breaking windows at the location, along with "Sonny's" clothing description. Deputy [redacted] coordinated the call over L-Tac and requested that assisting unit(s) meet them south of the location, so that they can go to the call together. Deputy [redacted] had no prior contacts with "Sonny" nor did he recall Deputy Padilla telling him about previous incidents that involved "Sonny." For further, refer to a copy of a call printout and the CD containing the audio call for service, presented in ***Volume 2*** as ***Exhibit A***, in the case book.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

He said Unit 151F, Deputies [redacted] and [redacted] met them south of the location and the plan was to locate, contact and then detain Suspect Paul. Deputy Padilla drove northbound Passons Boulevard toward the location, followed by Deputies [redacted] and [redacted] As they neared the address, Deputy [redacted] saw a male who matched the clothing description standing on the (west side) sidewalk, in front of the location.

Deputy Padilla stopped the patrol vehicle in the street, just south of where Suspect Paul stood. Believing this was "Sonny" as described in the call, Deputy [redacted] immediately exited the patrol car. As he did this, Deputy Padilla exited his driver's door too. Deputy [redacted] walked around the front of the patrol car toward the sidewalk when Suspect Paul started to walk toward him.

Deputy [redacted] told Suspect Paul to show his hands and to walk to him [redacted] which was at the front passenger's side of the patrol car. Suspect Paul responded with, "Fuck you, mother fucker," clenched his fists at his chest, and continued to walk aggressively toward Deputy [redacted] near the front passenger's side fender of the patrol car.

Not having time to retreat or grab his O.C., Deputy [redacted] quickly closed the gap as he stepped forward, reached out with both hands, and grabbed onto Suspect Paul's upper arms. He then used his hands and quickly spun Suspect Paul around in order to control Suspect Paul's hands for a pat down search.

Deputy [redacted] now stood behind Suspect Paul, so he ran his hands down the length of Suspect Paul's arms toward Paul's hands to control them for a search. As Deputy [redacted] grabbed Suspect Paul's hands, he pulled his hands away and swung his arm and hand back toward Deputy Padilla who stood to the right side of Deputy [redacted] Deputy [redacted] immediately attempted to regain control of Suspect Paul by grabbing onto his left shoulder, but in combination of his body weight and the suspect's, they both fell down to the ground, adjacent to the patrol car on the passenger's side.

Deputy [redacted] said Suspect Paul landed on his stomach, faced-down, with his head pointed in a southeast direction. Deputy [redacted] landed on both knees, striking the asphalt street to the right of Suspect Paul, next to the patrol car. Deputy [redacted] did not see or know where Deputy Padilla was, but he wanted to get control of Suspect Paul's hands to handcuff him. In a squatted position on his knees, Deputy [redacted] attempted to grab Suspect Paul's right arm, which was tucked underneath his chest area. As he did this, Suspect Paul stiffened up, clenched his fists and his body became rigid.

At this point, Deputy [redacted] used his handheld radio and advised S.C.C. of the fight. He ordered Suspect Paul to stop fighting and to place his hands behind his back, but he refused to comply and cursed. As Deputy [redacted] continued to pull onto Suspect Paul's right arm, he continued to resist by elbowing his arms backward, swinging his right arm at Deputy [redacted] and moving his body around on the ground while telling Deputy [redacted] "Kill me, kill me." For further, refer to the CD containing audio transmissions of the call coordination and emergent radio traffic, presented in ***Volume 2*** as ***Exhibit B***, in the case book.

Peripherally, Deputy [redacted] then saw an unknown deputy [redacted] come to his left side and assist him in his attempts to grab the suspect's right arm. Between Deputies [redacted] and [redacted] they gained control of Suspect Paul's right arm, placed it behind his (Paul's) back and handcuff the wrist. With his left hand, Deputy [redacted] now reached across Suspect Paul's back and attempted to grab Suspect Paul's left arm, which was still tucked underneath his body.

At this point, Deputy [redacted] felt a hard object hit the right side of his head. When he turned, he saw a male (Suspect Armando) seated in a wheelchair and the left armrest was approximately five inches from his face, which he believed is what struck him. He then noticed Sergeant [redacted] on his left side and the same male (Suspect Armando) used his leg left arm and hit Sergeant [redacted] back. Deputy [redacted] then refocused his efforts back to Suspect Paul.

When he did, he realized Deputy [redacted] had arrived and was on the left side of Suspect Paul's body, attempting to gain control of Suspect Paul's left arm. Deputy [redacted] continued to maintain control of Suspect Paul's handcuffed right wrist by holding the opposite end of the handcuff with his right hand. Because he had been hit by the male in the wheelchair, Deputy [redacted] kept looking around and just north of him, he saw a female (Suspect Ashley Martinez) use both hands and pushed Deputy Padilla's back, but [redacted] returned his focus to Suspect Paul.

Deputy [redacted] and Deputy [redacted] continued their attempts to gain control of Suspect Paul's left arm, but Suspect Paul continued to resist by making his body rigid and moving his body around. As this occurred, Deputy [redacted] started to tire from the struggle. He said although he held the one end of the handcuffs, Suspect Paul was able to overpower him and pulled his (Paul's) handcuffed right wrist/arm away from his body, above his head and onto the ground. This caused Deputy [redacted] hand to be pulled upward, landing next to Suspect Paul's face.

When this happened, Suspect Paul bit into the top portion of Deputy [redacted] right hand, near his thumb and index finger, and did not release his bite. Deputy [redacted] ordered his to stop biting, but he refused and bit harder. This caused great pain to Deputy [redacted] so he used his left arm and elbowed Suspect Paul's mid-to-upper back one time. Initially, this was effective because Suspect Paul stopped biting and released his mouth. But then he started to bite Deputy [redacted] right knuckle on his pinky finger.

Again, Deputy [redacted] told him to stop biting, which he complied with and released his mouth and turned his head to the left.

Deputy [redacted] then pulled Suspect Paul's right arm around to his (Paul's) lower back. With Deputy [redacted] assistance, he (Deputy [redacted] pulled Suspect Paul's left arm behind Paul's back where Deputy [redacted] handcuffed it. He said that Suspect Paul was verbally abusive, but no longer assaultive or resistive.

Deputy [redacted] remained with Suspect Paul, who was now in a seated position and leaned up against the patrol car awaiting the arrival of paramedics. When Deputy [redacted] looked around, he saw approximately 10-15 civilians on the east sidewalk of Passons Boulevard and they yelled out unintelligible remarks. He also saw the male that was seated in the wheelchair (Suspect Armando Sanchez) was now on the ground, handcuffed. Deputy [redacted] did not see or know how Suspect Armando ended up on the ground.

While seated, Suspect Paul continued his verbal assault and began to kick and shift his feet toward Deputy [redacted] Suspect Paul also refused Deputy [redacted] orders to stop moving around, so Deputy [redacted] hobbled his ankles.

In the incident, Deputy [redacted] did not consider using O.C. spray because that would have required him to remove his hand and lose control of Suspect Paul's arm. He said Aero Bureau arrived during the time he was on the ground with Suspect Paul. He also estimated that from the time they went to the ground to the point Suspect Paul was handcuffed, one minute had elapsed. For further, refer to the Incident Report by Deputies [redacted] and Padilla, Deputy [redacted] diagram/sketch depicting the scene, his training records, and photographs of his injuries, presented in ***Volume 2*** as ***Exhibits C, D*** and ***E***, in the case book.

***Deputy*** [redacted]
*On January 9, 2014, at approximately 1240 hours, Deputy* [redacted] *was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. She was represented by Attorney Elizabeth Gibbons from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in **Volume 1**, under the **Transcriptions-Involved Employees**, section of the casebook.*

Deputy [redacted] stated that at the time of this incident, she worked a two-person unit with Deputy [redacted] She was the driver and Deputy [redacted] was the book-person. She was also Deputy [redacted] since the onset of his [redacted] and had been assigned a [redacted] for approximately [redacted]

**IAB Note:** [redacted]

She was at the Pico Rivera Sheriff's Station with Deputy [redacted] when she heard a voiced call for service regarding a vandalism-disturbance at an apartment complex, which she was familiar with due to previous calls for service. The disturbance call named "Sonny," a known and active Pico Nuevo gang member, as the disturbing party.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

Deputy [redacted] said the previous calls for service at the apartment complex (location) included people who loitered/congregated, alcohol being consumed in public, narcotics being used in public, and because several "Pico Nuevo" gang members reside there.

Leaving the station in their patrol car, Deputy [redacted] told Deputy [redacted] about Suspect Paul, his gang affiliation, his dislike for law enforcement, and his use of alcohol/drugs, which caused him to become belligerent and violent. She told Deputy [redacted] to have a Taser present during their contact with Suspect Paul.

Deputy [redacted] also told Deputy [redacted] about Suspect Paul's [redacted] Armando (Suspect). That he was disabled, in a wheelchair, and also had a hatred attitude toward law enforcement. She explained that when deputies drove past him on the street, Suspect Armando cursed at deputies and held up his hand and simulated a handgun, while he pointed his finger at deputies. Detectives from Operation Safe Streets (OSS) had also warned Deputy [redacted] to be cautious of Suspect Armando because their (OSS) [redacted] said Suspect Armando carried weapons in his wheelchair.

Lastly, Deputy [redacted] warned Deputy [redacted] keeping a visual on the two-story apartment complex (location), and the surrounding houses and apartments because Pico Nuevo gang members and their affiliates will come out when they (deputies) arrive.

Deputy [redacted] stated Deputy [redacted] coordinated the call and they drove to Whittier Boulevard at Passons Boulevard, just south of the location to meet up with Deputies Padilla and [redacted] in order to drive to the call together. There, a plan was made to contact the disturbing party and then to ascertain if a crime had occurred. From Whittier Boulevard, Deputies Padilla and [redacted] drove northbound on Passons Boulevard, followed by Deputies [redacted] and [redacted]

When they arrived at the location, Deputy [redacted] saw Suspect Paul standing with two females (later identified as Suspect Ashley and Non-Employee Witness [redacted] at the apron of driveway, into the apartment complex. Suspect Armando was also present, seated in his wheelchair. As Deputy Padilla came to a stop, Suspect Armando turned his wheelchair and started to wheel himself northbound on the sidewalk and yelled out unintelligibly. As Suspect Armando continued to wheel himself, he twisted his torso to the right, extended his right arm back, lifted his thumb up and with his index pointed toward Deputy Padilla, he simulated shooting a handgun.

Deputies [redacted] and Padilla exited their car and started giving commands to Suspect Paul and the two females to place their hands on the hood of Deputy Padilla's patrol car and Suspect Paul replied, "Fuck you, mother fuckers!"

Deputy [redacted] exited her door and walked along the driver's side and Deputy [redacted] walked along the passenger's side of the patrol cars toward the detainees. As Deputy [redacted] approached Deputy Padilla's car, Non Non-Employee Witness [redacted] was closest to her [redacted] and then Suspect Ashley Martinez was next to her, but stood near the front of the patrol car.

Sergeant [redacted] arrived on scene and drove his patrol vehicle northbound and adjacent to the front patrol car. Deputy Padilla yelled out something to Sergeant [redacted] and pointed toward Suspect Armando, who wheeled himself northbound on the sidewalk. Sergeant [redacted] then drove northbound.

When Deputy [redacted] looked over she saw Deputies Padilla, [redacted] and [redacted] standing behind Suspect Paul who stood at the front right fender of Deputy Padilla's patrol car. Deputy Padilla stood to Suspect Paul's right. She did not recall the placement of Deputies [redacted] or [redacted] but knew all three deputies stood behind Suspect Paul as Paul yelled out profanities.

Deputy [redacted] focus went back to the females who also yelled out profanities and protests toward Deputies Padilla [redacted] and [redacted] As Deputy [redacted] spoke to the females (Suspect Ashley Martinez and Non-Employee Witness [redacted] she could smell alcohol on their breath and their speech was slurred. She said Suspect Martinez was more agitated than [redacted] (Non-Employee Witness) because she pulled her hands from the hood and pointed them at the male deputies and cursed at them. Deputy [redacted] ordered Suspect Martinez to keep her hands on the hood of the patrol car.

Deputy [redacted] walked past [redacted] (Non-Employee Witness) toward Suspect Martinez at the front of the patrol car. As she did this, she saw Suspect Paul's body/arms become rigid. He then clenched his fists, raised his arms out to his sides, and backed away from the patrol vehicle. Deputy Padilla grabbed Suspect Paul's right wrist and pulled it back toward jerked his fist toward Deputy Padilla's face.

Deputy Padilla maintained a hold of Suspect Paul's right arm, but Suspect Paul struggled and attempted to push off the patrol car. Deputy Padilla then punched Suspect Paul's face one time. Deputy [redacted] said it looked as if they (deputies) all "piled" onto Suspect Paul, then fell to the ground on the passenger's side of the patrol car. Suspect Martinez continued to yell at the deputies and then started to run toward the fight, so Deputy [redacted] reached out and grabbed onto Suspect Martinez' right arm.

At this point, Deputy [redacted] used her handheld radio and requested 10-33 (emergent) transmissions from S.C.C. While transmitting, Suspect Martinez continued to resist, so Deputy [redacted] had to use both hands to maintain control of Suspect Martinez. However, Deputy [redacted] immediately broadcasted the deputy-involved fight. For further, refer to the CD containing audio transmissions of the call coordination and emergent radio traffic, presented in ***Volume 2*** as ***Exhibit B***, in the case book.

Suspect Martinez twisted out of Deputy [redacted] grasp and ran to the passenger's side of the patrol car. She went to the area where the deputies struggled with Suspect Paul and consecutively punched Deputy Padilla's back two to five times with both fists, and cursed at him to leave Suspect Paul alone.

Deputy [redacted] went behind Suspect Martinez, placed her hands on Suspect Martinez' shoulders and pulled her body in a southeast direction away from Deputy Padilla. She then ordered Suspect Martinez to get down on the ground, but Suspect Martinez did not comply and struggled to get out of Deputy [redacted] grasp and cursed at Deputy [redacted]

Suspect Martinez continued to pull away from Deputy [redacted] grasp and flailed her arms in her attempt to assist Suspect Paul. Deputy Padilla came to assist Deputy [redacted] and punched Suspect Martinez in the face one time. This proved to be effective as Suspect Martinez dropped to her knees and then laid on the ground. Deputy Padilla then returned to assist Deputies [redacted] and [redacted]

Deputy [redacted] ordered Suspect Martinez to place her hands behind her back and she complied. Deputy [redacted] then handcuffed Suspect Martinez and walked her to her patrol car, which was parked behind Deputy Padilla's patrol vehicle. There, she conducted a pat-down search, then placed her in the backseat of her patrol car.

When Deputy [redacted] returned to the area to assist, she saw deputies still struggled with Suspect Paul and he did not appear to be handcuffed. She also saw Suspect Armando had aggressively rolled his wheelchair from the west sidewalk, into the street and then into the back of Deputy [redacted] legs. He began to punch Sergeant [redacted] on the back.

She heard Deputy Padilla yell out, "Hey, hey, hey," then saw Deputy Padilla strike Suspect Armando's head with his flashlight one time. This caused Suspect Armando to fall out of his wheelchair and onto the ground. When he fell, a screwdriver dropped out of his right hand and onto the ground near his body. Believing Suspect Armando had it to use as a stabbing weapon, Deputy [redacted] kicked it away.

Sergeant [redacted] attempted to handcuff Suspect Armando, but Armando resisted by swinging his arms at Sergeant [redacted] Sergeant [redacted] then ordered Deputy [redacted] to Tase Suspect Armando, so Deputy [redacted] ran to Deputy [redacted] and retrieved the Taser.

Deputy [redacted] returned with the Taser, removed the cartridge, and applied a drive-stun to Suspect Armando's lower back. She heard it cycle as if it worked and then it stopped. Again, she placed the Taser against Suspect Armando's lower back and applied a drive-stun procedure, but no sound came out and nothing happened.

> **IAB Note:** In the Taser Report and timeline of usage, it showed two activations, under Sequence #'s 0085 and 0086. The first activation was five seconds and the second activation was three seconds. For further, refer to the Taser Report, presented in ***Volume 1***, as ***Exhibit T***, in the case book.

Suspect Armando still resisted their efforts and was verbally abusive as Deputy [redacted] grabbed his (Suspect Armando's) right arm and Sergeant [redacted] grabbed his left arm, where he was handcuffed without further incident.

After the incident with Suspect Armando, Deputy [redacted] learned Suspect Paul had been handcuffed, but he was still being restrained by Deputies [redacted] and [redacted] because he (Suspect Paul) continued to kick his legs. She heard Sergeant [redacted] request a hobble to restrain Suspect Paul's legs.

Deputy [redacted] did not see Deputy [redacted] during the incident(s). Although she recalled smelling O.C., she did not recall seeing anyone use it on Suspect Armando. She thought to use O.C. spray on Suspect Martinez, but felt she did not have time to retrieve it.

Although Deputy [redacted] had one previous contact with Non-Employee Witness [redacted] she did not recall Non-Employee Witness [redacted] until she began talking with her at the hood of the patrol car and she [redacted] had no prior contact with Suspect Ashley Martinez.

Deputy [redacted] estimated that from the time Deputies Padilla, [redacted] and [redacted] contacted Suspect Paul up until the time he (Paul) began to resist, 30 seconds had elapsed. She also estimated from the start of the struggle up until the time Suspect Paul was handcuffed, two to five minutes had elapsed.

Deputy [redacted] felt that with the crowd of approximately 40 people on both sides of the streets, the situation could have been more serious if someone in the crowd jumped in to assist the suspects. She said their shift (P.M.) was short-staffed and it was a "skeleton crew."

Everyone at the station that was available did respond to assist in the fight and with crowd control. Because they (Pico Rivera Deputies) were out-numbered, Aero Bureau requested units from other stations to respond Code 3 to assist with crowd control. For further, refer to the Supplemental Report by Deputy [redacted] her training records, and her diagram/sketch depicting the scene, presented in ***Volume 2*** as ***Exhibits I*** and ***J***, in the case book.

After all the suspects were handcuffed, Deputy [redacted] learned Suspect Martinez had kicked out the left, rear passenger's window on their patrol car. For further, refer to the Supervisor's Report of Incident or Damage to County Vehicle form and photographs/CD of the damaged window, presented in ***Volume 2*** as ***Exhibits V***, in the case book.

***Deputy*** [redacted]

*On January 7, 2014, at approximately 1025 hours, Deputy* [redacted] *was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. He was represented by Attorney Dale Nowicki from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in* ***Volume 1****, under the* ***Transcriptions-Involved Employees****, section of the casebook.*

Deputy [redacted] stated that at the time of the incident, he was a [redacted] at the Pico Rivera Sheriff's Station and his [redacted] was Deputy [redacted] He worked a two-person unit with Deputy [redacted] She was the driver and Deputy [redacted] was the book-person.

Deputies [redacted] and [redacted] were assigned to assist Deputies Padilla and [redacted] regarding a vandalism call, which involved Pico Nuevo gang members. As Deputy [redacted] drove toward the call for service, she reminded Deputy [redacted] of the area and gang they would be dealing with, to keep alert, and to watch their (gang members) hands.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

Deputies [redacted] and [redacted] followed behind Deputies Padilla and [redacted] as they traveled northbound on Passons Boulevard to the location. As they arrived, Deputy [redacted] saw Deputies Padilla and [redacted] exit their patrol car and contact Suspect Paul. Deputy [redacted] stopped and parked their patrol, so Deputy [redacted] exited and walked along the passenger's side of the patrol cars toward Deputies Padilla and [redacted] As he walked, he heard the deputies give Suspect Paul commands to show his hands and the suspect replied, "Fuck you, fuck you, fuck you," and flailed his arms with clenched fists.

When Deputy [redacted] arrived at the front of the vehicle, Suspect Paul stood at the front left portion of the hood and Deputies Padilla and Isaac stood behind him. Deputy Padilla stood off-set, on the suspect's right side. Deputy [redacted] stood directly behind the suspect and attempted to grab one of the suspect's arms.

Deputy [redacted] stood on Deputy [redacted] left side behind the suspect when Deputy [redacted] was able to grab a hold of the suspect's left arm. The suspect then turned his torso to the right and attempted to punch Deputy Padilla in the face, and missed hitting him. Deputy [redacted] then reached in and attempted to grab onto the suspect's arm. He said Deputy [redacted] back pushed against his chest and he fell backward onto the ground and landed in a seated position. Suspect Paul fell to his right side and landed chest first on the ground, but he used his right arm and broke the fall.

Deputy [redacted] did not see how/where Deputy [redacted] landed, but heard Deputy [redacted] put out emergent radio transmissions. When Deputy [redacted] stood up, Suspect Paul grabbed onto [redacted] right arm, which caused Deputy [redacted] to fall back down to the ground.

Again, Deputy [redacted] stood up and Suspect Paul wrapped his right arm around Deputy [redacted] right leg and lifted his upper torso up and off the ground. Deputy [redacted] recalled Deputy [redacted] trying to grab the suspect's other arm, but he [redacted] could not specifically recall where or what Deputy [redacted] was doing because Suspect Paul started to bit his leg above the knee.

Deputy [redacted] yelled out in pain and told other deputies that Suspect Paul was biting him. He said the bite was continuous and then he stopped. Again, Suspect Paul bit his leg, so he consecutively punched Suspect Paul's face three to four times with his right fist, which was not effective.

After being punched three to four times, Suspect Paul continued to bit Deputy [redacted] which caused him a lot of pain. Deputy [redacted] then grabbed his Taser and at a distance of approximately 18 inches, he pulled the Taser's trigger and attempted to shoot Suspect Paul's back with the cartridge in, but the Taser did not function and Suspect Paul continued to bit him, so Deputy [redacted] tried to push Suspect Paul's face away from his leg when Deputy Padilla kicked him (Paul) in the upper torso.

> **IAB Note:** In the Taser Report and timeline of usage, it showed two activations, under Sequence #'s 0083 and 0084. The first activation was one second and the second activation was five seconds. For further, refer to the Taser Report, presented in ***Volume 1***, as ***Exhibit T***, in the case book.

The kick was effective as Suspect Paul stopped biting Deputy [redacted] he released his arm from around Deputy [redacted] leg, and fell flat on the ground. Deputy [redacted] grabbed Suspect Paul's right arm and placed it behind his back. Suspect Paul began to violently kick his legs and move his head, so Deputy [redacted] placed his right knee across his upper neck/head. At this point, Deputy [redacted] arrived and assisted Deputy [redacted] in grabbing the suspect's left arm, where he was handcuffed by Deputy [redacted]

Deputy [redacted] said after Suspect Paul was handcuffed, he continued to kick his legs and was possibly hobbled, but he (Deputy [redacted] did not witness it. He saw Sergeant [redacted] after the incident, but not prior to or during the incident. He thought to use O.C. spray when he was being bitten, but said he could not get to it at the front of his holster, next to his magazine pouch and added that it would have affected him and his partners. He checked the battery charge at the beginning of his shift and it was over 80%.

Deputy [redacted] recalled Aero Bureau was at the scene, but did not recall when they arrived. He estimated that from the start of the struggle up until the time Suspect Paul was handcuffed, four to five minutes had elapsed and he had no previous contact with any of the suspects. For further, refer to the Deputy [redacted] Supplemental report, his diagram/sketch depicting the scene, his training records, and photographs of his injuries, presented in ***Volume 2*** as ***Exhibits K, L*** and ***M***, in the case book.

***Deputy*** [redacted]

*On January 7, 2014, at approximately 1025 hours, Deputy* [redacted] *was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. He was represented by Attorney Dale Nowicki from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in* ***Volume 1****, under the* ***Transcriptions-Involved Employees****, section of the casebook.*

Deputy [redacted] was a one-person patrol unit and was assigned to work in the unincorporated County area of Whittier. He was en route to a call for service in unincorporated Whittier County area when he heard a vandalism call for service in the city of Pico Rivera. The call indicated "Sonny" from "Pico Nuevo" gang was vandalizing a residence. He responded from the east County area. Two to three minutes later, he heard emergent radio transmissions that a deputy was involved in a fight related to the vandalism call.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

Deputy [redacted] turned southbound on Passons Boulevard, but did not recall which westbound street he came from. He arrived 30-40 seconds after the emergent radio transmissions and parked his vehicle north the incident. From his vehicle he saw a male (Suspect Paul) fighting with unidentified deputies, in the middle of the street on Passons Boulevard.

Deputy [redacted] exited the patrol car and ran to assist and when he saw Deputy [redacted] on or near the west sidewalk. It appeared to him that she was trying to control and/or monitor the crowd that had gathered. He also said Aero Bureau had arrived and orbited above the incident.

As Deputy [redacted] arrived, he saw the suspect was face-down on the ground and moved his body and face back and forth, and side to side. His head was pointed in a southeast direction and his legs were pointed in a northwest direction. He also saw three deputies positioned on the right side of the suspect's body, adjacent to the patrol car.

Deputy [redacted] was positioned at/near the suspect's head. Deputy [redacted] was on the left side of Deputy [redacted] near the suspect's waistline. Deputy Padilla was on the left side of Deputy [redacted] near the suspect's legs. He said at that point, the deputies (Padilla, [redacted] and [redacted] were not on top of the suspect's body, but they made sure that he did not get up and attempted to gain control of his (suspect's) arms.

Deputy [redacted] he went to the left side of the suspect's body near his lower back area. He crouched over Suspect Paul, attempted to pull the left arm out from underneath the suspect's chest, and ordered him to give up his hands. Suspect Paul turned to him and said, "Fuck you, mother fuckers. Kill me," and continued to resist their (deputies) efforts by kicking his legs and moving his body side to side.

Peripherally, Deputy [redacted] saw deputies on the right side of Suspect Paul's body attempt to control the suspect's right arm. Another deputy (unknown) tried to control the suspect's legs, but [redacted] could not specifically see what they (deputies) did.

Deputy [redacted] continued to order Suspect Paul to give up his hands, and attempted to pull his left arm out from underneath the suspect's chest, unsuccessfully. Again, Suspect Paul did not comply, but cursed and resisted their efforts to get control of his hands.

Because Deputy [redacted] was in a crouched position, he placed his hands on the ground to get balance. When he did this, Suspect Paul attempted to bite his hand, so Deputy [redacted] pulled his hands back. Deputy [redacted] was then told by another deputy (unknown) that Suspect Paul had bitten him (unknown deputy). As Deputy [redacted] continued his attempts to gain control of the suspect's left arm, the suspect again, tried to bite his hand.

Deputy [redacted] felt that he needed to get compliance from the suspect, so he consecutively punched Suspect Paul's left side ribcage area three to four times with his right fist. His punches were not effective because Suspect Paul continued to resist, cursed at him, and lunged his head toward Deputy [redacted] hand as if he was going to bite Deputy [redacted] Deputy [redacted] then placed his right knee on Suspect Paul's head as if to prevent further attempts at biting.

Again, Deputy [redacted] consecutively punched Suspect Paul's left side ribcage three to four times with his right fist. This proved to be effective because Suspect Paul said, "Okay, okay, okay," no longer resisted and placed his left arm behind his (suspect's) back.

Deputy [redacted] grabbed Suspect Paul's left arm/wrist and pulled it to the right wrist, which had previously been handcuffed. He then handcuffed the left wrist to the right wrist, but did not know which deputy handed him the handcuffed right wrist.

After Suspect Paul was handcuffed, he continued to curse at them. Deputy [redacted] then turned to his right and saw a male in a wheelchair (Suspect Armando), laying face-down in the street. He had no idea what occurred with the male. He did not see any involvement by a female (Suspect Martinez) and did not see Sergeant [redacted] until after Suspect Paul was handcuffed.

Deputy [redacted] thought to use O.C. spray on Suspect Paul. He smelled O.C. in the air upon his arrival with Suspect Paul. Although he did not see anyone use it, he believed it had been used on Suspect Paul and that it was ineffective, based on the suspect's actions. He estimated that from the time he arrived on scene up until the time Suspect Paul was handcuffed, two to three minutes had elapsed. For further, refer to the Supplemental Report by Deputy [redacted] his diagram/sketch depicting the scene, and his training records, presented in ***Volume 2*** as ***Exhibits N*** and ***O***, in the case book.

***Sergeant*** [redacted]

*On January 14, 2014, at approximately 1028 hours, Sergeant* [redacted] *was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. He was represented by Venise Wallace from the Professional Peace Officers Association (PPOA). Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented in* ***Volume 1****, under the* ***Transcriptions-Involved Employees****, section of the casebook.*

Sergeant [redacted] stated he was working as the field sergeant for the city of Pico Rivera and the Unincorporated County area in Whittier when a vandalism-now call was dispatched. The call indicated that "Sonny," a gang member from "Pico Nuevo" was breaking items at the location.

Sergeant [redacted] responded from the station and in the coordination of the call, it was requested that all units respond in tandem. Other than assessing the situation once they arrived, he said no other plan was made. He drove northbound on Passons Boulevard toward the location behind two patrol vehicles. Deputies Padilla and [redacted] were in the first patrol car, followed by Deputies [redacted] and [redacted] in their car.

> **IAB Note:** From here on, "Sonny", Paul Sanchez, will be referred to as Paul. Suspect Armando Sanchez will be referred to as Armando.

When they arrived on scene, the deputies exited their cars and made contact with an individual (Suspect Paul) at the front of the driveway to [redacted] Passons Blvd. Sergeant [redacted] crept forward (northbound) in his vehicle to the front patrol car and stopped parallel to it.

Sergeant [redacted] saw Deputies Padilla, [redacted] and [redacted] standing at/near the driveway of the location. Deputy Padilla turned to him and then pointed to a male (Suspect Armando) in a wheelchair, who wheeled himself northbound on the west sidewalk of Passons Blvd.

As Suspect Armando wheeled himself, he bladed his upper body to the right, extended his right arm, lifted his thumb up and pointed his index toward deputy personnel, simulating shooting a handgun. Suspect Armando then yelled out, "Fuck you. Shoot me!"

Sergeant [redacted] slowly followed behind Suspect Armando in his vehicle and ordered him to show his hands, but he did not comply and continued to wheel himself northbound. He saw Suspect Armando reach into his waistband area, pulled his hand out and again, simulated a handgun with his right hand while he pointed at Sergeant [redacted]

About 40-50 yards north of the deputies, Suspect Armando turned westbound into a residential driveway when Sergeant [redacted] heard emergent radio transmissions that deputies were involved in a fight. He estimated that from the time he drove away from Deputy Padilla up until the emergent radio transmissions, 60 seconds had elapsed.

Sergeant [redacted] put his vehicle into reverse and returned to the deputies' location. He exited his car and walked to approximately 12-15 feet to the passenger's side of the first (north) patrol car and stood northeast of the suspect to monitor the incident.

There, he saw deputies struggle to gain control of a male's arms (Suspect Paul). The male was faced-down on the ground, but his stomach was raised off the ground and his arm (unknown) was wrapped around Deputy [redacted] leg.

Sergeant [redacted] saw the struggle and said several punches were thrown. But his attention was drawn to Deputy [redacted] who stood against the patrol vehicle (passenger's side) and yelled out in pain, while he ordered Suspect Paul to stop biting him [redacted] Sergeant [redacted] did not recall who threw the punches or where the punches landed.

After a few seconds had passed and the deputies were unable to gain control of the suspect, Sergeant [redacted] ordered one of the deputies to Tase the suspect. He recalled an unknown deputy was on Deputy [redacted] left side and another unknown deputy was near the suspect's legs, but did not recall who was where.

Sergeant [redacted] said a deputy [redacted] Tased the suspect's body, but he did not specifically recall where on the body. He said the Taser malfunctioned and did not make any sound(s), and the suspect continued to resist the deputies and bite Deputy [redacted]

After another few seconds passed, Sergeant [redacted] felt several strikes on his right shoulder. When turned his head to the right, he saw the male in the wheelchair (Suspect Armando) had his left arm raised above his head, and with a clenched fist his arm came downward to strike Sergeant [redacted] Deputy Padilla then struck Suspect Armando on the head with his flashlight, which caused Suspect Armando to fall out of his wheelchair.

As Suspect Armando fell to the ground, a screwdriver fell from his right hand, onto the ground. He landed on his stomach and was completely out of the wheelchair. Since the other deputies were occupied with Suspect Paul, Sergeant [redacted] went over to handle Suspect Armando who possibly had more weapons on him.

Sergeant [redacted] contacted Suspect Armando and placed his right hand on Armando's shoulder and told him to stay still on the ground. Suspect Armando cursed and attempted to move his hands to his waistline. Again, Sergeant [redacted] ordered Suspect Armando to keep his hands shown, but he attempted to move them under his body, so he ordered Deputy [redacted] to Tase Suspect Armando.

Deputy [redacted] retrieved a Taser and applied a drive-stun procedure to Suspect Armando's body (unknown location), but the Taser did not make a sound and it appeared to be a malfunction.

Sergeant [redacted] pulled Suspect Armando's left hand out from under his body and handcuffed it. Deputy [redacted] grabbed his right hand and Sergeant [redacted] completed handcuffing Suspect Armando. He then returned to assist with Suspect Paul and saw his hands were behind his (Paul) back and handcuffed, with Deputies Padilla [redacted] and [redacted] near the suspect.

After the Suspect Paul was handcuffed, the station (Pico Rivera) requested assistance from area stations due to 15-20 loud and unruly citizens who were out on the east and west sidewalks on Passons Blvd. He recalled Aero Bureau being overhead toward the end of the incident, about the time Suspect Paul was handcuffed. He did not recall if he directed a deputy to hobble Suspect Paul.

Sergeant [redacted] estimated that from the time he heard the emergent radio transmissions up until Suspect Paul was handcuffed, three to four minutes had elapsed. He later learned Suspect Martinez was arrested and had damaged patrol car window.

Sergeant [redacted] remained on scene and conducted four civilian interviews and took several photographs of the damaged patrol vehicle. For further, refer to Sergeant [redacted] Supplemental Report, his diagram/sketch depicting the scene, his training records, and the DVD containing interviews of potential witnesses, and the presented in ***Volume 2*** as ***Exhibits P, Q, R*** and ***S***, in the case book.

## NON-EMPLOYEE WITNESSES STATEMENTS:

*The below civilian witnesses were video recorded at the location by Pico Rivera Station Sergeant* [redacted] *Below is a summary of the interviews. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in IAB's audio files and/or the verbatim transcripts presented as* ***Volume 1****, under the* ***Transcriptions, Non-Employee Witnesses****, and/or reviewing the DVD, presented in* ***Volume 2, Exhibit R****, sections of the casebook.*

> **IAB Note:** Sergeant [redacted] interviewed [redacted] who resided in [redacted] She claimed to have heard the disturbance, but did not witness any force.

***Witness*** [redacted] stated that he is the [redacted] of "Sonny" (Paul Sanchez) and "Guy" (Armando). He said when he went outside, he heard yelling and screaming coming from the deputies, but did not know what was said. He stated Suspect Paul walked from the driveway to the front of the patrol vehicle, and around to the passenger's side. Suspect Paul then said, "Hey," and placed his hands behind his neck.

Witness [redacted] saw approximately three to four deputies hit Suspect Paul on the head and body with their black colored flashlights and/or "billy" clubs. He said Suspect Paul fell to the ground. Witness [redacted] did not hear gun shots, but he believed Suspect Paul had been shot because Paul said, "Ah, I got shot." He stated Suspect Paul remained on the ground up until the arrival of the ambulance. Witness [redacted] said the deputies struck Suspect Paul approximately five to ten times during the incident and that Suspect Paul was not fighting the deputies.

Witness [redacted] also stated that during the incident, Suspect Armando who was in a wheelchair, wheeled himself close to the incident/fight. He stated Suspect Armando wanted to know what was going on and then the deputies grabbed him (Armando) and threw him to the ground. He said the deputies then "beat up" Suspect Armando with an unknown dark object two to three times, but he (Witness [redacted] was then "beat up."

Witness [redacted] said that during the incident, he saw Suspect Armando wheel himself close to the incident/fight. He states deputies pulled Suspect Armando from his wheelchair and threw him (Armando) to the ground. He said the deputies then hit Suspect Armando two to three times with a dark colored object, possibly a flashlight.

Witness [redacted] said Suspects Armando and Paul had been drinking (alcohol) during the day and had nothing further to add.

***Witness*** [redacted] said Suspects Paul and Armando are her [redacted] She stated her [redacted] yelled at her [redacted] because they (Paul and Armando) had been drinking and were getting loud, but she did not see her [redacted] at her [redacted] house. She was in the driveway with her [redacted] at her [redacted] house (location) when the deputies arrived and called them (she, Paul and Armando) over to their patrol car.

She stated they all placed their hands on the patrol car. She said that as the deputies attempted to place handcuffs on Suspect Paul, four deputies immediately punched him on the head and took him to the ground. She said that Suspect Paul was not argumentative or resistive before this occurred.

Suspect Paul landed on his stomach with three deputies were on top of him and one deputy standing. She said a deputy yelled out, "Taser him, Taser him, Taser him," and then a deputy Tasered Suspect Paul's leg. She said deputies hit the back of Suspect Paul's leg(s) with their flashlights and "billy" clubs or batons, and they punched his entire body. She could not estimate how many strikes or punches were thrown, but said it was throughout the entire incident/fight, which she estimated to be last approximately six minutes.

Witness [redacted] said that as the incident/fight was occurring with Suspect Paul, Suspect Armando wheeled himself approximately five feet from the incident. The deputies then pulled him out of his wheelchair, hit him on the head, and Tasered him. She then terminated the interview.

***Witness*** [redacted] heard a "big commotion outside." When he looked outside, Suspects Paul and Armando were leaving a [redacted] residence where pottery had been damaged/vandalized. He also heard their (Paul and Armando's) [redacted] yell at them to "stop." He then saw the arrival of deputies and lights from the patrol vehicles, but did not witness the incident.

**SUSPECTS' STATEMENTS:**

***Suspect Paul "Sonny" Sanchez***

*On April 14, 2013, Pico Rivera Detective Jeffrey Lammers interviewed Suspect Paul Sanchez at Beverly Hospital in the city of Montebello. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files and/or the verbatim transcripts located in **Volume 1**, under the **Transcriptions-Suspects, Detective Interview**, section of this case book.*

Suspect Paul Sanchez stated that he, his [redacted] (Suspect Armando), and his [redacted] (Suspect Ashley Martinez), were standing in the driveway of the location "just chillin'" when a patrol vehicle drove up to the driveway and stopped in the street. He automatically placed his hands at the back of his head and walked to the patrol car. Two deputies exited the patrol car and told him to place his hands on the hood. A deputy then came behind him and grabbed his hands at the back of his head. The deputy then "slammed" him into the cars' hood without provocation.

Suspect Paul said the deputies took him to the ground and started "beating" him up. Even though he did not resist the deputies, they told him to stop resisting them. He said he got "mad" and even though he did not resist, he tried to defend himself by "balling" up and covering his face with his hands while the deputies continued to "beat" him. He said the deputy(s) then Tased his back, buttocks and legs.

Suspect Paul said he was later handcuffed and remained on the ground until the arrival of medical services. He later saw Suspect Armando was handcuffed and bloodied, but did not see what had occurred. He also did not see any police involvement with Suspect Ashley.

Suspect Paul denied he consumed alcohol, used narcotics or vandalized pottery/plants.

*On April 15, 2013, Suspect Paul Sanchez was interviewed at Pico Rivera Station by Sergeant Dinah Grote of the Internal Affairs Bureau. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files and/or the verbatim transcripts located in **Volume 1**, under the **Transcriptions-Suspects, IAB Interview**, section of this case book.*

Suspect Paul Sanchez stated Suspect Ashley Martinez is his [redacted] and Suspect Armando Sanchez is his [redacted] He stated growing up he was a member of the "Pico Nuevo" street gang and his moniker is "Sonny." Since his last prison term in 2004, he said he was no longer was a gang member and the gang let him exit without any repercussions.

He and Ashley walked back to his apartment complex (location) from Ashley's [redacted] residence. Throughout the day, he and Ashley walked back and forth several times from his apartment to her [redacted] house. He stated that he and Ashley walked back to his apartment complex from Ashley's [redacted] residence. As they approached the driveway to his apartment complex, Ashley told him deputies were behind him (Paul).

Suspect Paul said he turned around and saw a patrol vehicle pull up to the driveway. He immediately put his hands together, interlocked his fingers and placed his hands at the back of his neck, as he approached the patrol car. He then said, "Hey, what's up?" and stood at the front passenger's side of the patrol car as two male Hispanic deputies exited the vehicle and approached him.

The passenger deputy [redacted] stood behind him and grabbed his hands. The same deputy then forced his hands and head down onto the car hood, striking the right side of his face against the hood. He said the driver deputy, possibly Deputy Padilla, came to his right side and told him to "stop resisting" several times while punching the right side of his face several times with his right fist. The deputies then took him down to the ground.

Suspect Paul landed face-down with the right side of his face and his elbows striking the concrete. When they landed on the ground, the deputy [redacted] maintained a hold of his (suspect's) hands and the deputy's knee struck his upper back area. The same deputy [redacted] freed his right hand from the back of his (suspect's) head and punched the right side of his face and temple area numerous times, while both deputies told him (suspect) to stop resisting.

Suspect Paul pulled his hands away from the deputy [redacted] and attempted to block the punches as the other deputy (Padilla) stomped on the back of his legs. He turned on his right side, "balled" up and placed his hands/arms up to his ears/face in an attempt to protect his face. He heard and felt a Taser against the left, middle, side of his back between the armpit and waistline. He was Tasered a second and then a third time on his left hip/thigh area and was told to place his hands behind his back, which he complied with. His left wrist was handcuffed, pulled over and attached to another set of handcuffs that were attached to his right wrist, which connected both sets of handcuffs.

Suspect Paul said he was punched in the face more approximately five times, punched in the back three times, Tasered three times and "stomped" on approximately six to 10 times. He said only two deputies were involved in the incident and denied he punched, kicked or bit any deputy personnel. He did not recall getting kicked in the face. He had been detained by deputy personnel on previous occasions in possession of a screwdriver without an incident/arrest and that the screwdriver was used for "handyman" tasks.

Suspect Paul only consumed one 40 ounce Budweiser beer at 10:00 A.M. He said he was not drunk in his contact with deputy personnel and that he did nothing wrong. When he consumes alcohol, he said it makes his blood-sugar level high. He denied he used narcotics or vandalized property.

> **IAB NOTE:** The Toxicology/Laboratory Report from Beverly Hospital showed Suspect Paul Sanchez' blood alcohol content (BAC) was 0.169 and he tested "positive" for Amphetamine(s). For further, refer to his report, presented in ***Volume 2*** as ***Exhibit X***, in the case book.

Suspect Paul took prescription medication (Metformin) for diabetes and for pain (Codeine). The pain medication begun in 1993 after a gunshot wound that resulted in the loss of his left eye and a fracture to the left side of his skull. In 1995, he sustained another gunshot wound to his right hip and pelvic bone, which resulted in a permanent limp and his continuance of pain medication. He also declined to sign authorization for the release of his medical records.

***Suspect Ashley Martinez***
*On April 15, 2013, Suspect Ashley Martinez was interviewed at Pico Rivera Sheriff's Station by Detective Jeffrey Lammers. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files and/or the verbatim transcripts located in* ***Volume 1****, under the* ***Transcriptions-Suspects, Detective Interview****, section of this case book.*

Suspect Martinez said she was in the driveway of the location with Suspects Paul and Armando. Suspect Paul is her [redacted] and that "someone" called the deputies. She said Suspects Paul and Armando did not break pottery or vandalize property. She said Suspect Paul's diabetes was "acting up" and when the deputies arrived they grabbed him and "ganged" up on him. She yelled at the deputies and told them that Suspect Paul was sick and that they "beat" up for no reason.

She cooperated when she was told to get on the ground and place her hands behind her back and then a female deputy handcuffed her and placed her inside a patrol car. She then kicked the patrol car window, stuck her head out and yelled at the deputies to leave Suspect Paul alone. She said Suspect Paul was not resistive or assaultive.

Suspect Martinez did not see the force incident which involved Suspect Armando Sanchez. On the day of the incident, she only consumed one beer and denied she smoked methamphetamine that day or the day prior.

> **IAB Note:** The Toxicology/Laboratory Report from Beverly Hospital showed Suspect Martinez' blood alcohol content (BAC) was 0.108. She also tested "positive" for Amphetamine(s). For further, refer to her report, presented in ***Volume 2*** as ***Exhibit AA***, in the case book.
>
> **IAB Note:** On April 15, 2013, Suspect Ashley Martinez declined to be interviewed by Sergeant Dinah Grote from Internal Affairs Bureau. For further, refer to the digitally audio recording located in IAB's audio files.
>
> **IAB Note**: On April 14, 2013, Suspect Armando declined to be interviewed by the investigators from the Internal Affairs Bureau. He agreed to have photographs taken of his injuries. Refer to the photographs, presented in ***Volume 2*** as ***Exhibit EE***, in the case book.
>
> On April 15, 2013, Suspect Armando also declined to be interviewed by Detective Lammers. For further, refer to Detective Lammers' Supplemental Report, presented in ***Volume 2*** as ***Exhibit FF***, in the case book.

**MISCELLANEOUS SECTION:**
None.